KENDALL COUNTY
REGIONAL PLANNING COMMISSION
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560
AGENDA

Wednesday, April 25, 2018 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Larry Nelson, Ruben Rodriguez, John Shaw, Claire Wilson, Budd Wormley, Angela Zubko, and One Vacancy (Big Grove Township)

APPROVAL OF AGENDA

APPROVAL OF MINUTES

Approval of Minutes from March 28, 2018 Meeting (Pages 2-8)

PETITIONS

1. 18 – 13 – Kendall County Planning, Building and Zoning Committee (Pages 9-44)


CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

None

OLD BUSINESS

1. Request from the Kendall County Planning, Building and Zoning Committee for Comments Pertaining to Petition 18-07 Regarding Text Amendments Establishing Procedures for Renewing Special Use Permits (Pages 45-51)

2. Consideration and Action on Amendments to Petition 18-04 Regarding Amending the Future Land Use Map for Property Near Route 47 in Lisbon Township-Commission Could Vote to Schedule a Public Hearing on the Petition (Pages 52-79)

3. Update on Petition 17-28 Pertaining to Text Amendments to Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 17-29 Increasing the Notification Requirement for Special Use Petitions in the A-1 District

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT

Next regularly scheduled meeting on Wednesday, May 23, 2018

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.
Chairman Ashton called the meeting to order at 7:00 p.m.

**ROLL CALL**

Members Present: Bill Ashton, Roger Bledsoe, Larry Nelson, Ruben Rodriguez, Claire Wilson, Budd Wormley, and Angela Zubko  
Members Absent: Tom Casey and John Shaw  
Staff Present: Matthew H. Asselmeier, Senior Planner  
In the Audience: Dan Kramer, Pat Kinnally, Roger Smith, and George Ostreko

**APPROVAL OF AGENDA**

Mr. Wormley made a motion, seconded by Mr. Bledsoe, to approve the agenda as presented. With a voice vote of all ayes, the motion carried.

**APPROVAL OF MINUTES**

Mr. Nelson made a motion, seconded by Mr. Wormley, to approve the February 28, 2018, joint meeting minutes with the Comprehensive Land Plan and Ordinance Committee and the February 28, 2018, Kendall County Regional Planning Commission meeting minutes as presented. With a voice vote of all ayes, the motion carried.

**PETITION**

Petition 18-05-Keith and Kathleen Warpinski

Mr. Asselmeier summarized the request. The petitioners desire a map amendment in order to be able to construct a house on the property.

ZPAC reviewed the proposal on March 6th and unanimously recommended approval.

The Kendall Township Planning Commission and Kendall Township Board reviewed the proposal in February and recommended denial. Kendall Township will not be submitting a formal objection.

The United City of Yorkville’s Planning and Zoning Commission met on March 14th and recommended approval. The United City of Yorkville’s City Council met on March 27th and expressed no objections to the proposal.

Dan Kramer, attorney for the petitioners, stated that Kendall Township recommended denial because at least one (1) planning commissioner objected to the construction of another house in the area.

Mr. Kramer stated that the petitioners did not pursue an A-1 building permit because the Kendall County Board had a similar case last year and they required the property owner to obtain a map amendment. In addition, the notification and publication requirements for a map amendment are stricter than the rules for an A-1 building permit.

Mr. Kramer also noted that easements for the proposed trails will be recorded.
Mr. Wormley asked about the pipeline easement running through a portion of the property. Mr. Kramer explained how the pipeline easement was created.

Mr. Nelson asked the width of the property. The width is approximately is approximately two hundred thirty-seven feet (237’).

Mr. Wormley asked about the water table. Mr. Kramer stated the soil was classified for septic.

Ms. Wilson noted that certain agricultural uses would be more restrictive if the property were rezoned to R-1.

There were no public comments on this proposal.

Mr. Asselmeier stated that he did not receive anything in writing from Kendall Township. There were no calls from any surrounding residents.

Ms. Wilson made a motion to recommend approval of the map amendment as proposed, seconded by Ms Zubko.

Yes – Ashton, Bledsoe, Nelson, Rodriguez, Wilson, Wormley and Zubko (7)
No – None (0)
Absent – Casey and Shaw (2)

The motion passed. This proposal will go to the Zoning Board of Appeals on April 2nd.

**Petition 18-07 Kendall County Planning, Building and Zoning Committee**

Mr. Asselmeier summarized the request.

The Zoning Ordinance does not have a clear procedure for renewing special use permits. In reviewing all of the existing special use permits, twenty-seven (27) require some form of review or renewal. Additionally, in the future, the County Board may impose time limits on future special use permits. Therefore, Staff prepared the attached proposal establishing procedures for renewing special use permits.

The Planning, Building and Zoning Committee reviewed this proposal on February 13th and unanimously approved initiating the text amendment process.

This proposal was mailed to each township on February 15th. To date, none of the townships have submitted comments.

This proposal was mailed to each existing special use permit holder that has a review/renewal provision in their special use permit on February 16th. To date, only (1) special use permit holder had detailed questions. Three (3) others were satisfied with the proposal after the proposal was explained.

ZPAC reviewed this proposal on March 6th and unanimously recommended approval.

Several Commissioners expressed concerns about the ability of the County Board to amend special use permits without the request or approval of the property owner, even though the property owner complied with the terms of the special use permit. This action could have negative consequences for business owners that invested large sums of money into their businesses. Concerns were raised that such changes could be arbitrary.
The Hearing Officer still exists for administrative adjudication; the Planning, Building and Zoning Committee could refer an alleged violations to the Hearing Officer or the State’s Attorney’s Office.

Several Commissioners expressed concerns regarding the language about previous owners of special use permits. Commissioners felt that the automatic renewal provisions should apply to the current owner and the current owner should not have the special use permit jeopardized by the actions or violations of previous owners.

Ms. Wilson asked if the County Board could request changes at any time. Mr. Asselmeier stated that the intent of the proposal was that the County Board could do amendments at the time of renewal. Item 2.b would be amended to reflect that change.

Roger Smith, Tyler Road, provided a history of his special use permit for a mobile home on his property. He was not in favor of the proposed changes.

Pat Kinnally, attorney for Bryan Holdings, Aurora, expressed concerns about the lack of clarity for grandfathering. He also expressed concerns about the difference between minor and major amendments to special use permits and the power of the Zoning Administrator. Mr. Kinnally did not want the actions of previous property owners to have an impact on whether or not a special use permit is revoked or renewed.

George Ostreko, East Beecher Road, said that he has not been inspected by Kendall County since he bought the property in the 1984. His special use permit is for mining.

Dan Kramer said that he agreed with changes proposed by Mr. Nelson.

Mr. Nelson moved to table the proposal and to have the proposal sent to Commissioners as a Word document. Discussion occurred regarding the intent of the Planning, Building and Zoning Committee in proposing the text amendment. The motion died for lack of second.

Mr. Rodriguez asked about the procedures of other counties. Mr. Asselmeier will investigate this matter.

Mr. Wormley made a motion to refer the proposal back to the Planning, Building and Zoning Committee for additional study, seconded by Ms. Wilson.

Yes – Ashton, Bledsoe, Nelson, Rodriguez, Wilson, Wormley and Zubko (7)
No – None (0)
Absent – Casey and Shaw (2)

The motion passed.

Petition 18-03 Kendall County Planning, Building and Zoning Committee
Mr. Asselmeier summarized the request.

In 2017, the Kendall County Board created a Boards and Commissions Review Ad-Hoc Committee to examine the number, type, and duties of the various committees utilized by the County. This Ad-Hoc Committee evaluated the roles and responsibility of each of the committees associated with the Planning, Building and Zoning Department. The Ad-Hoc Committee expressed concerns about the number of meetings certain applicants had to attend in order to obtain approval of map amendments and special use permits. In addition to
County meetings, applicants for map amendments and special use permits might need to attend various township and municipal meetings.

Accordingly, the Board and Commissions Review Ad-Hoc Committee, at their meetings on August 29th and November 30th recommended the following applications not require formal meetings of ZPAC or the Kendall County Regional Planning Commission:

1. Map Amendments
2. Special Use Permits
3. Major Amendments to Special Use Permits
4. Text Amendments to the Zoning Ordinance Not Impacting the Powers and Duties of ZPAC and/or Kendall County Regional Planning Commission

Members of ZPAC and the Kendall County Regional Planning Commission would continue to receive notifications of the above types of applications and individual members of these committees could submit comments on the proposals, but neither body would be required to meet and issue recommendations on these types of applications.

ZPAC would continue to meet for the following types of applications:

1. Site Plan Reviews
2. Text Amendments to the Zoning Ordinance Impacting Its Powers and Duties
3. Amendments to the Kendall County Subdivision Control Ordinance
4. Preliminary Plat Approval
5. Final Plat Approval
6. RPD Related Plat Approvals

The Kendall County Regional Planning Commission would continue to meet for the following types of applications:

1. Text Amendments to the Zoning Ordinance Impacting Its Powers and Duties
2. Changes to the Land Resource Management Plan
3. Amendments to the Kendall County Subdivision Control Ordinance
4. Preliminary Plat Approval
5. Final Plat Approval
6. RPD Related Plat Approvals
7. Requests by the County Board and/or Planning, Building and Zoning Committee for Research on Planning, Zoning, and Development Related Topics

The Committee of the Whole discussed this proposal at their meeting on December 14th and no one objected to the proposal.

The Planning, Building and Zoning Committee reviewed this matter at their meeting on January 8th and unanimously recommended approval of initiating the text amendment as proposed.

ZPAC reviewed this proposal on February 6th and unanimously recommended approval.

Ms. Wilson asked, if this proposal was implemented, would the Kendall County Regional Planning Commission meet on petitions similar to Petition 18-07. Mr. Asselmeier responded that the Kendall County Regional Planning Commission would not meet for similar proposals.
Mr. Nelson asked, if the Kendall County Regional Planning Commission did not meet, would the timeframe for adopting a proposal be shortened. Mr. Asselmeier said that the timeframe for adopting a proposal would not be shortened unless the Kendall County Regional Planning Commission requested additional information.

Ms. Zubko asked if ZPAC members receive each petition and submit comments. Mr. Asselmeier responded that petitions are emailed to ZPAC members, but most ZPAC members wait until the meeting before stating their comments.

Ms. Zubko asked if the County Board was aware that the Planning, Building and Zoning Committee did not need to meet to review petitions under State law. Mr. Asselmeier responded that the Ad-Hoc Commissions and Committees Committee was informed which zoning related committees were required by State law and which ones were of the County’s discretion.

Chairman Ashton expressed concerns about the RPD subdivisions approval. He believed that the terms of RPDs should be reviewed by the Kendall County Regional Planning Commission.

Mr. Nelson explained his experience with obtaining a special use permit.

Commissioners noted that one (1) of the reasons for transferring special use hearings to the Zoning Board of Appeals was to obtain more input and opinion. This proposal seems contradictory to that previous opinion.

Mr. Nelson made a motion to refer the proposal to the Comprehensive Land Plan and Ordinance Committee. The motion died for lacked of a second.

Mr. Asselmeier stated that the Planning, Building and Zoning Committee, as the petitioner, was the only entity that could approve amendments to the petition.

Ms. Wilson made a motion to recommend approval of the proposal, seconded by Ms. Zubko

Yes – None (0)
No – Ashton, Bledsoe, Nelson, Rodriguez, Wilson, Wormley and Zubko (7)
Absent – Casey and Shaw (2)

The motion failed. The petition received a negative recommendation from the Planning Commission.

The reasons for the negative recommendation were:

1. The Kendall County Regional Planning Commission would like the proposal to go to the Comprehensive Land Plan and Ordinance Committee to work out issues.

2. The Kendall County Regional Planning Commission had concerns regarding the due process for petitions.

3. The Kendall County Regional Planning Commission felt that Kendall County Regional Planning Commission meetings were the appropriate setting for creating conditions and restrictions for special use permits (express the values of the community).

4. Removing the Kendall County Regional Planning Commission meeting from the timeline for adoption does not slow down the approval process; the Senior Planner indicated that no extra time was needed for Kendall County Regional Planning Commission meetings.
5. The Kendall County Regional Planning Commission had concerns about a lack of thorough vetting of the implications of proposals if the Kendall County Regional Planning Commission did not meet and review proposals.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

NEW BUSINESS
None

OLD BUSINESS
Consideration and Action on Amendments to Petition 18-04 Regarding Amending the Future Land Use Map for Property Near Route 47 in Lisbon Township-Commission Could Vote to Schedule a Public Hearing on the Petition
Chairman Ashton noted that changes were made to the proposal. A mixed use business area will be added along U.S. Route 52 down to the Village of Lisbon.

The Village President of Lisbon attended the Comprehensive Land Plan and Ordinance Committee meeting earlier in the evening.

Ms. Wilson expressed her surprise about the opposition to the proposal from the residents of the area.

Update on Petition 17-28 Pertaining to text Amendments to Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)
Mr. Asselmeier stated that the Planning, Building and Zoning Committee met on March 12\textsuperscript{th} and the proposal has changed drastically. The proposal was sent to the State’s Attorney’s Office for review.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
Mr. Asselmeier reported that Petition 17-33 transferring certain powers and duties from the Hearing Office to the Zoning Board of Appeals passed at the County Board. Petition 17-29 increasing the notification requirements for applications for special use permits on properties zoned A-1 was sent back to the Planning, Building and Zoning Committee from the Committee of the Whole.

OTHER BUSINESS/ANNOUNCEMENTS
None

ADJOURNMENT
Ms. Wilson made a motion, seconded by Mr. Wormley, to adjourn. With a voice vote of all ayes, the motion passed unanimously. The Kendall County Regional Plan Commission meeting adjourned at 8:31 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP
Senior Planner

Enc.
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<tr>
<th>NAME</th>
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<td>Don Kramer</td>
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<td>Pat Kinnally</td>
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<td>George Osinobo</td>
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MEMORANDUM

To: Kendall County Regional Planning Commission
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: April 5, 2018
Re: 18-13 Proposed Text Amendments Pertaining to Solar Panel Zoning Regulations

In recent months, the Kendall County Planning, Building and Zoning Department has received inquiries from solar energy consultants and property owners desiring to place solar panels on properties throughout the County. These solar panels would be used to generate power offsite from the location where the solar panels are placed. Kendall County adopted solar panel zoning regulations in 2010 and 2011, but these regulations focused on generating solar energy and using that energy onsite. The County also has zoning regulations for power plants, but many solar energy consultants were uncomfortable with a “power plant” classification.

Earlier in 2018, the Planning, Building and Zoning Committee instructed Staff to study the solar panel regulations of several counties. The comparison table from this study is included with this memo.

At their meeting on March 12, 2018, the Planning, Building and Zoning Committee approved initiating text amendments to the Kendall County Zoning Ordinance incorporating DeKalb County’s proposed regulations into the Kendall County Zoning Ordinance. A proposal is attached to this memo.

Mr. Holdiman previously suggested that 4.18.O.2 be removed from the proposal because the County currently does not require insurance for existing solar panels.

The Kendall County Farm Bureau was sent the proposal in March. They questioned why the bonding requirement was “may” and not “shall” (4.18.P.6).

The townships were mailed the proposal on March 22nd. To date, no townships have submitted comments.

ZPAC met on the proposal on April 3rd and unanimously recommended approval of the proposal with the following amendments:

1. Section 4.18.D.10 should be removed because the same language is found in 4.18.Q.3.

2. A more detailed contour map with existing vegetation, waterways, wetland boundaries, and FEMA FIRM information in a manner described in the Boone County ordinance should be added to the proposal.

3. The reference to the State of Illinois Uniform Building Code found in Section 4.18.C.8 should be removed.

4. Greater discussion should occur regarding the desire to have solar gardens in residential zoned districts.
5. The word “crops” found in line 7 of 4.18.C.4 should be replaced with the word “vegetation” because crops probably will not be the only plants growing around the solar panels and crops probably will not grow around the solar panels.

If you have any questions prior to the meeting on this topic, please let me know.

Thanks,

MHA

ENCS: Solar Comparison Table
Proposed Text Amendments for Solar Panels
4.3.18 ZPAC Minutes
County Solar Panel Regulations (Updated DeKalb 3/19/18)

Boone (B)
DeKalb (D)
Grundy (G)
Kankakee (K)
Tazewell (T)
Will (W)

Note: LaSalle County Allows Solar Panels as Special Use, But Has No Stated Restrictions.

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<tr>
<td>Differentiate Between Community and Utility Systems</td>
<td>Yes</td>
<td>No, but Does Differentiate in Size at 5 Acres</td>
<td>No</td>
<td>No</td>
<td>No, but Does Differentiate in Size at 5 Acres</td>
<td>Concentrated Solar Not Allowed</td>
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<td>Districts Where Permitted Use</td>
<td>None</td>
<td>None Solar Gardens May Be Approved if Neighbors Approve Otherwise They Are Special Use (All Districts)</td>
<td>None Solar Gardens May Be Approved if Neighbors Approve</td>
<td>None Solar Gardens May Be Approved if Neighbors Approve</td>
<td>None Solar Gardens May Be Approved if Neighbors Approve</td>
<td>None Solar Gardens May Be Approved if Neighbors Approve</td>
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<td>Districts Where Special Use</td>
<td>Otherwise They Are Special Use in A-1</td>
<td>All Agricultural and Industrial Districts</td>
<td>A-1</td>
<td>Less than 5 Acres In All Districts 5 Acres or Greater A-1 Only</td>
<td>A-1, I-1, I-2, and I-3</td>
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<td>A-1, A-2, RE, R-1, RC, RC-2, RTN, B-1, B-2, I-1, and I-2</td>
<td>Less than 5 Acres In All Districts 5 Acres or Greater A-1 Only</td>
<td>Applications Meeting the Requirements of the Ordinance Do Not Require Committee Review</td>
<td>A-1</td>
<td>Less than 5 Acres In All Districts 5 Acres or Greater A-1, Conservation and Industrial Districts</td>
<td>A-1, I-1, I-2, and I-3</td>
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<tr>
<td>Foundation</td>
<td>Must be Certified by a Qualified Engineer</td>
<td>Must be Certified by a Qualified Engineer for Solar Farms</td>
<td>Not Mentioned</td>
<td>Must be Certified by Qualified Engineer</td>
<td>Not Mentioned</td>
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<td>Panels Must Be Installed by Qualified Installer</td>
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<td>Glare</td>
<td>No Glare on Adjacent Properties or ROWs</td>
<td>No Glare on Adjacent Properties or Airports within 500 Feet of Airport or Approach Zone If Within 500 Feet of Airport or Approach Zone, Solar Glare Hazard Analysis Tool Report Must be Submitted; Potential FAA Review Required</td>
<td>No Glare on Adjacent Residential Property</td>
<td>Not Mentioned</td>
<td>No Glare on Adjacent Properties or Airports within 500 Feet of Airport or Approach Zone</td>
<td>Minimize Glare to Adjacent Property</td>
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<td>Lighting</td>
<td>Photometric Plan Required, Security Lights Max 30 Feet in Height, Lighting Elements Shielded from Adjacent Property, Foot Candle at Property Line Max 0.5</td>
<td>Security Lighting Only and Lighting Required by FAA and FCC</td>
<td>Cannot Cross Property Lines</td>
<td>Cannot Cross Property Lines</td>
<td>Not Mentioned</td>
<td>No Artificial Lighting Unless Required by FAA or Other Governmental Entity</td>
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<tr>
<td>Drainage Tile</td>
<td>Must Be Repaired and Restored-Boone County SWD Chooses Inspector and Applicant Pays for Inspection</td>
<td>Not Mentioned</td>
<td>Must Be Repaired and Bond or Letter of Credit Required, No Specifics</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
<td>Must Be Maintained and Repaired</td>
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<td>Electrical Lines</td>
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<td>Inspected Prior to Burial</td>
<td>Must Be Buried (Also Communication Lines)</td>
<td>Must Be Buried (Also Communication Lines or Wireless)</td>
<td>Must Be Buried (Also Communication Lines)</td>
<td>Not Mentioned</td>
<td>All Utilities Must Be Buried Unless Waived by SU Permit</td>
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<tr>
<th>Minimum Lot Size</th>
<th>Not Specified</th>
<th>Not Specified</th>
<th>Not Specified</th>
<th>5 Acres</th>
<th>Not Specified</th>
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| Height | Systems, Equipment and Structures Shall Not Exceed 30 Feet in Height at Maximum Tilt (Lines and Utility Poles are Exempt) | Systems, Equipment and Structures Shall Not Exceed 20 Feet in Height at Maximum Tilt (Lines and Utility Poles are Exempt) Must Follow Height Restrictions of the District at Maximum Tilt | Systems, Equipment and Structures Shall Not Exceed 30 Feet in Height at Maximum Tilt (Lines and Utility Poles are Exempt) | Systems, Equipment and Structures Shall Not Exceed 20 Feet in Height at Maximum Tilt (Cannot Exceed 30 Inches Above Grade in the Front Yard) | Systems, Equipment and Structures Shall Not Exceed 25 Feet in Height at Maximum Tilt |

<p>| Setbacks-Front | 75 Feet from ROW (Fences Excluded) | Not Mentioned 500-100 Feet Unless Waived by Road District (50 Foot Min) No System in Front Yards | 150 Feet | 100 Feet (Fences Excluded) | Cannot Encroach on Setbacks at Minimum Tilt | Follow Setback Regulations of District |</p>
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<th>Setbacks-Adjoining Property</th>
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<td>40 Feet from Property Lines (Excluding Fences)</td>
<td>50 Feet from Property Lines Min 500 100 Feet Unless Waived by Neighbors</td>
<td>150 Feet</td>
<td>50 Feet from Property Lines (Excluding Fences)</td>
<td>Cannot Encroach on Setbacks and Minimum Tilt</td>
<td>25 Feet from Property Lines</td>
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<td>Setbacks-Residential</td>
<td>150 Feet from Properties with Residences (Neighbor Can Waive this Requirement and Record Waiver)</td>
<td>500 100 Feet from Neighboring Residential Property Lines (Neighbor Can Waive up to 300 50 Feet)</td>
<td>Not Mentioned</td>
<td>100 Feet (As Measured From Property Line to Property Line)</td>
<td>Cannot Encroach on Setbacks and Minimum Tilt</td>
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<td>Setbacks Internal</td>
<td>None</td>
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<td>Landscaping</td>
<td>Follow Zoning Ordinance (Must Submit Landscaping Plan, Name Type(s) of Evergreen Planted and Location, Must Submit Soil Evaluation, Incorporate Native Plantings)</td>
<td>When Visible for Adjoining Residential Use or Residential Zoned Property, Use View Obstructing Vegetation, a Wall, Semi-Opaque Fence or Berm Designed to Obscure Views</td>
<td>Landscaping Plan Required Use Native Plantings Use as Screening, But No Specifics Shall be Inspected Monthly by County</td>
<td>Landscaping Plan Must be Submitted</td>
<td>Do Not Block View or Shading of Properties to the North</td>
<td>Must be Screened from All Roads and Dwelling Units within 1000 Feet (Screening May Be in Setbacks)</td>
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<td>Landscaping Continued</td>
<td>to a Height of 6 Feet. (For Mechanical Equipment the Screening Shall be the Height of the Equipment Plus 6 Inches)</td>
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<td>Fencing</td>
<td>Not Mentioned</td>
<td>Not Required but if Used Then Maximum 8 Feet in Height with Warning Sign</td>
<td>Minimum 8 Feet in Height (Must Have Knox Box and Keys)</td>
<td>Maximum 8 Feet in Height with Warning Sign</td>
<td>Privacy Fence May Be Substituted for Buffer if 6 Feet Tall. At Least 1 Evergreen Must be Required Per 30 Linear Feet of Fence or Wall, Perimeter Fencing is Required with a Minimum of 7 Feet in Height; Barbed Wire and Razor Wire Prohibited Unless Waived</td>
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<th>Buffers</th>
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<td>25 Foot Wide Buffer of Compact Evergreen Hedges or Other Type of Evergreen Foliage (Shall Be Located Along Road Frontage and Perimeter of Any Single-Family Dwelling) Minimum 3 Feet Tall; Hedge Must be 6 Feet Tall Within 5 Years; Replace Dead Growth and Maintain in Good Condition. Topographical Features and Existing Woodlands May Be Incorporated in Buffer</td>
<td>Minimize View of System to Surrounding Properties Screened to Protect from Routine View from Public ROWs; Screening May Be Required to the Extent It Does Not Affect the Operation of the System Building Integrated or Roof Mounted Systems Do Not Need to be Screened</td>
<td>Not Mentioned in Specifics</td>
<td>30 Foot Wide Buffer of Compact Evergreen Hedges or Other Type of Evergreen Foliage Minimum 3 Feet Tall; Hedge Must be 8 Feet Tall Within 3 Years; Replace Dead Growth and Maintain in Good Condition. Earth Berms, Topographical Features and Existing Woodlands May Be Incorporated in Buffer</td>
<td>Not Mentioned</td>
<td>A Landscaped Area at Least 10 Feet in Width with at Least 1 Shrub Per 5 Linear Feet Plus 1 Evergreen Tree per 25 Linear Feet of the Perimeter Area Evergreens Must Be at Least 5 Feet Tall at Time of Planting, Top Soils Cannot be Removed Without Permission of the County Board, Perennial Vegetation Must Be Maintained</td>
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<td>Noise</td>
<td>No Detectible Noise by the Human Ear at 500 Feet. Noise Does Not Include Routine Maintenance, Repair, or Construction (Construction is Limited to Monday-Saturday 7-7; Sundays and Holidays 9-6)</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
<td>50 dBA When Located Adjacent to Residence or Residential Zoning District</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
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<tr>
<td>Signage</td>
<td>Warning Sign at Entrance Which Includes Facility’s 911 Address and 24 Hour Emergency Contact Phone Number</td>
<td>Not Mentioned</td>
<td>High Voltage Signs Posted at Each Entrance and Base of All Pad Mounted Transformers Emergency Contact Information Near Tower, Operations Building and Maintenance Building</td>
<td>Warning Sign at Entrance Which Includes Facility’s 911 Address and 24 Hour Emergency Contact Phone Number</td>
<td>Manufacturer’s Specs Must be Displayed</td>
<td>Not Mentioned</td>
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<tr>
<td>Site Plan Requirements</td>
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<tr>
<td>Existing Property Lines</td>
<td>Existing Property Lines Extending Five Hundred Feet from the Exterior Boundary, Including the Names of Adjacent Property Owners and Current Use of Those Properties</td>
<td>Not Mentioned Directly</td>
<td>Must Submit Horizontal and Vertical Elevations Showing the Location of the System, Buildings, and Property Lines</td>
<td>25 Copies of Required Submittals</td>
<td>50 Copies of Required Submittals</td>
<td>Same as Boone Except No Utility Information</td>
</tr>
<tr>
<td>Exiting Public and Private Roads, Show Width and Easements</td>
<td>Location and Size of Existing and Abandoned Wells and Sewage Treatment Systems</td>
<td>Highest Finished Slope of Roof Must be Provided</td>
<td>Evidence of Control of Site Must Be Provided</td>
<td>Plan Must Include Number and Capacity of Arrays, Placement, Fencing and Landscaping, and Total Height of Arrays</td>
<td>Also Must Submit Manufacturer’s Specs, Itemized Cost of Construction and Connection Method</td>
<td></td>
</tr>
<tr>
<td>Existing Buildings and Impervious Surfaces</td>
<td>Contour Map Showing Topography at 2 Foot Intervals, May Include Topography of Neighboring Properties</td>
<td>Existing Vegetation and Type of Vegetation</td>
<td>Topography Information at 5 Foot Intervals</td>
<td>Fire Protection Plan, Revegetation Plan, Drainage and Erosion Plan</td>
<td></td>
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<tr>
<td>Traffic Control Information</td>
<td>Operation and Maintenance Plan</td>
<td>Must Provide Proof that Owner/Operator Has the Financial Ability to Construct the Solar Farm</td>
<td>Must Provide Notice of Development Letter to Will County Board Representatives</td>
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<tr>
<td>Site Plan Must Show Same Property Line, Property Ownership and Floodplain Locations as Boone</td>
<td>Must Include Number Location and Spacing of Solar Panels</td>
<td>Include Product Cut Sheets</td>
<td>Site Plan Must Show Same Property Line, Property Ownership and Floodplain Locations as Boone</td>
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<td>Must Include Number Location and Spacing of Solar Panels</td>
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<thead>
<tr>
<th>Site Plan Requirements Continued</th>
<th>Waterways, Watercourses, Lakes, and Wetlands</th>
<th>Emergency Plan Provided to Local Fire Department</th>
<th>Emergency Services Plan</th>
</tr>
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<tbody>
<tr>
<td>Wetland Boundaries</td>
<td>FEMA FIRM Map and 100 Year Flood Elevation</td>
<td></td>
<td>Redact Copy of Lease</td>
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<td></td>
<td>Floodway, Flood Fringe, and General Flood Plain District Boundary</td>
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<td>Mapped Soils</td>
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<td>Surface Water Drainage Patterns</td>
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<td>Location of Subsurface Drainage Tiles</td>
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<td>Location of All Utilities</td>
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<td>Site Plan Conditions</td>
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<td></td>
<td>1. Location, Number and Spacing of Solar Panels</td>
<td>Must Submit Operation and Maintenance Report Within 14 Days Upon Request</td>
<td>Included with Site Plan Requirements</td>
</tr>
<tr>
<td></td>
<td>2. Location of Access Roads and Access Points</td>
<td>Must Submit EcoCat and Illinois Historic Preservation Agency Consultation Information</td>
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<td></td>
<td>3. Planned Location of Underground or Overhead Electric Lines Connecting the Solar Farm to a Building, Substation, or Other Electric Load.</td>
<td>Must Allow Access for Fire Protection Personnel</td>
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<td>4. New Electrical Equipment Other Than Existing Building or Substation</td>
<td>Must Follow Noxious Weed Ordinance</td>
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<td></td>
<td>5. Certified Drawings of Elevation of the Premises Accurately Depicting the System</td>
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<td>6. Weed Control Plan Approved by Boone County Conservation District, No Soil Sterilant Shall Be Permitted to be Used Onsite</td>
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<td>Road District Approval</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
<td>Required and Panels Must Be 150 Feet From Public or Private Roads</td>
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<td>Bonds or Letter of Credit Required for Maintenance, Amount Not Provided</td>
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<tr>
<td>Utility Approval</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
<td>Required, Copy of the Agreement Must be Submitted as Part of Application</td>
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<td>Decommissioning Plan</td>
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<td>Required as Part of Application</td>
<td>Required as Part of Application</td>
<td>Required as Part of Application</td>
<td>Required as Part of Application</td>
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<tr>
<td>Must Occur if Panels Not Used in 12 Consecutive Months, Operating Company or Land Owners has 6 Months to Complete Plan</td>
<td>If Not Used for 90 Consecutive Days</td>
<td>If Not Used for 9 Months</td>
<td>Same as Boone Financial Security of $1000 Per Acre in the Form of Irrevocable Letter of Credit or Escrow in lieu Boone Bond</td>
</tr>
<tr>
<td>County Board May Grant Extensions</td>
<td>6 Months to Complete Removal</td>
<td>9 Months to Remove</td>
<td>Bond or Letter of Credit Required, Amount Determined by Engineer or Contractor, Must Pay 50% Before Construction Starts and Balance is Due Within 5 Years of the Start of Construction</td>
</tr>
<tr>
<td>Plan Must Include Removal of Structures, Equipment, Fencing, Hazardous or Special Materials, Roads, Foundations, and Restoration of Soil and Vegetation</td>
<td>County May Request Written Approval that System is Still Operational; Must Respond in 14 Days</td>
<td>Must Remove All Structures and Pads to a Depth of 4 Feet Below Ground Surface</td>
<td>Same as Boone Financial Security of $1000 Per Acre in the Form of Irrevocable Letter of Credit or Escrow in lieu Boone Bond</td>
</tr>
<tr>
<td>Bond in the Amount of 150% of the Engineer’s Estimate for Decommission Costs Must Be Submitted Prior to Issuance of Occupancy Permit</td>
<td>Remove All Structures and Foundations and Restore Vegetation</td>
<td>Remove All Structures and Foundations and Restore Vegetation</td>
<td>Bond or Letter of Credit May Be Required (Dollar Amount Not Listed)</td>
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<tr>
<td>Decommission Plan Continued</td>
<td>Revegetation Plan</td>
<td>County May Collect Escrow or Bond and Enter Property if Decommissioning Not Completed in 6 Months</td>
<td>County May Also Place a Lien on Property to Cover Costs</td>
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<td>Updated Decommissioning Plans Must Be Submitted Every 3 Years, Plans Must Be Signed by Party Responsible for Decommissioning and/or Land Owner</td>
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<tr>
<td>County May Request Additional Information</td>
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<tr>
<td>Construction Must Commence within 2 Years of Approval by the County Board, Board May Grant Extension If Requested Prior to 60 Days of 2nd Anniversary of the Issuance of the Special Use Permit</td>
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<tr>
<td>Must Comply with State Laws as They Relate to Decommissioning</td>
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<tr>
<th>Fees</th>
<th>Building Permit Fees</th>
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<th>Building Permit Fees</th>
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<th>W</th>
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<tbody>
<tr>
<td>Reimburse County for Costs Greater than $500 and Pay All Invoices within 10 Days</td>
<td>0-10 KW $150</td>
<td>Not Mentioned</td>
<td>0-4 KW $75</td>
<td>Not Mentioned</td>
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<td>11-50 KW $300</td>
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<td>5-10 KW $150</td>
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<td>51-100 KW $600</td>
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<td>11-50 KW $300</td>
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<td>101-500 KW $1200</td>
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<td>51-100 KW $500</td>
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<td>501-1000 KW $2750</td>
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<td>101-500 KW $1000</td>
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<td>1001-2000 KW $6000</td>
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<td>501-1000 KW $3000</td>
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<td>Over 2000 KW $200 for Each Additional 0-100 KW Fees</td>
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<td>1001-2000 KW $5000</td>
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<td>Fees Double if Construction Commences before Obtaining Building Permit</td>
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<td>Insurance</td>
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<tr>
<td>Owner or Operator Shall Maintain Current Liability Policy Covering Bodily Injury and Property Damage at $2 Million Per Occurrence and $20 Million in Aggregate</td>
<td>Owner or Operator Shall Maintain Current Liability Policy Covering Bodily Injury and Property Damage at Least $3 Million Per Occurrence and $5 Million in Aggregate, Must Have Policy for Duration of Special Use Permit, Such Insurance May Be Provided Pursuant to a Plan of Self-Insurance by a Party with a Net Worth of $20 Million Dollars or More, County Named as Additional Insured</td>
<td>Owner or Operator Shall Maintain Current Liability Policy Covering Bodily Injury and Property Damage at $2 Million Per Occurrence and $5 Million in Aggregate with a Deductible of No More Than $5,000</td>
<td>Not Mentioned</td>
<td>Owner or Operator Shall Maintain Current Liability Policy Covering Bodily Injury and Property Damage at $2 Million Per Occurrence and $5 Million in Aggregate with a Deductible of No More Than $5,000</td>
<td>Required, No Specifics</td>
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<tr>
<td>Outdoor Storage</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
<td>Ordinance Hints that Outdoor Storage is Allowed, But Does Not Provide Any Perimeters</td>
<td>Only Equipment and Materials Related to the Operation and Maintenance of the Solar Farm (Must be paved with a Bituminous Surface and either Fenced or Screened from Adjoining Properties and Uses)</td>
<td>Not Mentioned</td>
</tr>
<tr>
<td>UL (Underwriters Laboratories, Inc) Listing</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
<td>Not Mentioned, But Equipment Must Meet Industry Standards</td>
<td>Required and Must Have Anti-Reflective Coating</td>
<td>Required for Components</td>
</tr>
<tr>
<td>Indemnification of County</td>
<td>Yes</td>
<td>Yes</td>
<td>Non Mentioned</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
</tr>
<tr>
<td>Public Nuisance Statement</td>
<td>Yes</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
<td>Cost Statement</td>
<td>Must Be Maintained in Good Order</td>
</tr>
<tr>
<td>Severability Statement</td>
<td>Yes</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
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<tr>
<td>High Water Mark</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
<td>150 Feet</td>
<td>Not Mentioned</td>
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<tr>
<td>Adjoining Property Value Evaluation</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
<td>Yes</td>
<td>Not Mentioned</td>
<td>Not Mentioned</td>
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<tr>
<td>Follow Federal, State, and Local Laws</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes-Annual Inspection</td>
<td>Yes</td>
<td>Yes-County Will Do Annual Inspection</td>
</tr>
</tbody>
</table>
Solar Panel Amendments

Amend Section 3.02 by adding the following terms and definitions:

ACTIVE SOLAR ENERGY SYSTEM. A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

BUILDING-INTEGRATED SOLAR ENERGY SYSTEMS. An active solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include but are not limited to photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.

GRID-INTERIE SOLAR ENERGY SYSTEM. A photovoltaic solar energy system that is connected to an electric circuit served by an electric utility company.

GROUND MOUNT SOLAR ENERGY SYSTEM. A solar energy system mounted on a rack or pole that rests on or is attached to the ground.

OFF-GRID SOLAR ENERGY SYSTEM. A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility company.

PASSIVE SOLAR ENERGY SYSTEM. A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger.

PHOTOVOLTAIC SYSTEM. An active solar energy system that converts solar energy directly into electricity.

ROOF MOUNT SOLAR ENERGY SYSTEM. A solar energy system that is mounted on a rack that is fastened onto a building roof.

SOLAR ACCESS. Unobstructed access to direct sunlight on a lot or building through the entire year, including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a solar energy system.

SOLAR COLLECTOR. An assembly, structure, and the associated equipment and housing, designed for gathering, concentrating, or absorbing direct and indirect solar energy for which the primary purpose is to convert or transform solar radiant energy into thermal, mechanical, chemical or electrical energy.
SOLAR ENERGY. Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

SOLAR ENERGY EASEMENT. An easement that limits the height or location, or both, of permissible development on the burdened land in terms of a structure or vegetation, or both, for the purpose of providing access for the benefited land to wind or sunlight passing over the burdened land.

SOLAR ENERGY SYSTEM (SES). All components required to become a complete assembly or structure that will convert solar energy into electricity for use.

SOLAR ENERGY SYSTEM ADDITION. A private solar energy system which is structurally attached to a building or structure on the zoning lot on which said system is located. Said system shall be considered part of the building and shall comply with all provisions of this ordinance pertaining thereto.

SOLAR ENERGY SYSTEM, PRIVATE. A collection of one (1) or more solar collectors designed for use by the occupant(s) of the zoning lot on which said system is located; excess power generation is limited to net metering or similar technology with regulations set by the local power utility, community, county, and state. Private solar energy system equipment shall conform to applicable industry standards, and applicants for building permits for private solar energy systems shall submit certificates from equipment manufacturers that the equipment is manufactured in compliance with industry standards.

SOLAR FARM. A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal devices (CST), or other conversion technology, for the primary purpose of wholesale sales of generated electricity. A solar farm is the principal land use for the parcel on which it is located.

SOLAR GARDEN. A commercial solar-electric (photovoltaic) array, of no more than 20 acres in size, that provides retail electric power (or a financial proxy for retail power) to multiple households or businesses residing in or located off-site from the location of the solar energy system. A county solar garden may be either an accessory use, when a part of an existing or a proposed subdivision or a special use if it is a stand-alone garden.

SOLAR HEAT EXCHANGER. A component of a solar energy device that is used to transfer heat from one substance to another, either liquid or gas.

SOLAR HOT AIR SYSTEM. An active solar energy system (also referred to as Solar Air Heat or Solar Furnace) that includes a solar collector to provide direct supplemental space heating by heating and re-circulating conditioned building air.
SOLAR HOT WATER SYSTEM. A system (also referred to as Solar Thermal) that includes a solar collector and a heat exchanger that heats or preheats water for building heating systems or other hot water needs, including residential domestic hot water and hot water for commercial processes.

SOLAR MOUNTING DEVICES. Racking, frames, or other devices that allow the mounting of a solar collector onto a roof surface or the ground.

SOLAR STORAGE UNIT. A component of a solar energy device that is used to store solar generated electricity or heat for later use.

Amend Section 4.18 as follows:

4.18 SOLAR PANELS
A. Roof Mounted. Solar panels located on the roof of an existing structure shall be permitted in all districts. Roof mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted. Roof mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. Roof mounted or building integrated private solar energy systems for residential or business use shall be considered an accessory use in all zoning districts where there is a principal structure and shall meet the regulations of the Kendall County Zoning Ordinance. Roof mounted solar panels used as accessory to agricultural uses shall be exempt from building permits.

B. Freestanding. Solar panels located on the ground or attached to a framework located on the ground shall be classified as accessory structures in all zoning districts provided that the system is no larger than necessary to provide one hundred twenty percent (120%) of the electrical and/or thermal requirements of the structure to which it is accessory as determined by a contractor licensed to install photovoltaic and thermal solar energy systems. Freestanding solar panels shall be permitted if they comply with all of the following standards the standards listed in the Kendall County Zoning Ordinance. Ground or pole mounted solar energy systems shall not exceed the maximum height, when oriented at maximum tilt, for the zoning district in which it is located. Freestanding solar panels used as accessory to agricultural uses shall be exempt from building permits.

(Properties considered agriculturally exempt as defined in State Statute from building permits are further exempt from these standards with the exception of #3 listed below):

1. The proposed system is no larger than necessary to provide 120 percent of the electrical and/or thermal energy requirements of the structure to which it is accessory as determined by a contractor licensed to install photovoltaic and thermal solar energy systems.
2. The solar panels and supporting framework shall not exceed 12' in all districts with the exception of the agricultural district as measured from adjoining grade at base to the highest elevation of the equipment.

3. The solar energy system including any appurtenant equipment is not located within any required setback areas within the respective zoning district.

4. If the solar panels are visible from off-site, the solar panels are not located within 150 feet of a dwelling located on a lot other than the lot on which the solar energy system is located unless:
   a. There are appropriate facades, walls, fences or landscaping that screen the solar panels and supporting framework from unobstructed view.
   b. Reflection angles from collector surfaces are oriented away from neighboring windows.
   c. The panels are mounted as close as possible to the ground while allowing adequate drainage and preventing vegetation from shading the panels.

5. The solar panels are located so that they are not readily visible from public viewing areas including parks, roads and trails located to the south of the site.

C. Solar Gardens. Solar gardens shall be allowed in all zoning districts and shall require a special use permit whether accessory or principal use of the property subject to the following requirements:

1. The requirement for a special use permit may be waived, provided the solar garden’s owner/lessee obtains and records with the Kendall County Planning, Building and Zoning Department signed and notarized affidavits agreeing that the need for a special use permit be waived from all property owners adjoining the zoning lot on which the solar garden is to be located (as determined by the Kendall County Planning, Building and Zoning Department).

2. Unless otherwise noted in the Kendall County Zoning Ordinance, solar gardens must comply with all required standards for structures in the district in which the system is located.

3. Rooftop community systems are permitted in all zoning districts where buildings are permitted.
4. Ground-mount community solar energy gardens must be less than twenty (20) acres in total size. Ground-mount solar developments covering more than twenty (20) acres shall be considered solar farms.

5. Solar gardens are subject to Kendall County’s Stormwater Management Ordinance and NPDES permit requirements.

6. An interconnection agreement must be completed with the electric utility in whose service territory the system is located.

7. For solar gardens located within 500 feet of an airport or within the approach zones of an airport, the applicant must complete and provide the results of the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.

8. Ground-mount systems must comply with all required standards for structures in the district in which the system is located. All solar gardens shall also be in compliance with all applicable local, state and federal regulatory codes, including the State of Illinois Uniform Building Code, as amended, and the National Electric Code, as amended. Also, Health Department requirements for wells and septic systems must be met.

D. Solar Farms. Ground mount solar energy systems that are the primary use on the lot, designed for providing energy to off-site uses or export to the wholesale market are permitted under the following standards:

1. Solar farms shall require a special use permit in the A-1 Agricultural District. Unless otherwise noted in the Kendall County Zoning Ordinance, solar farms must comply with all the required standards for structures in the district in which the system is located.

2. The solar array and all components of the solar collector system in a solar farm shall be kept at least one hundred feet (100’) from a property line or right-of-way. However, this requirement may be waived, provided the solar farm’s owner/lessee obtains, and records with the Kendall County Planning, Building and Zoning Department, signed and notarized affidavits agreeing that the minimum setback be waived, from all property owners and affected road authorities adjoining the zoning lot on which the solar farm is to be located (as determined by the Kendall County, Planning, Building and Zoning Department). However, in no instance shall any part of the solar farm be located within fifty feet (50’) of any of the aforementioned items.
3. Solar farms are subject to Kendall County’s Stormwater Management Ordinance and NPDES permit requirements.

4. Top soils shall not be removed during development, unless part of a remediation effort. Soils shall be planted to and maintained in perennial vegetation to prevent erosion, manage run off and build soil. A plan must be approved by the Kendall County Soil and Water Conservation District and paid for by the developer. Applicable noxious weed ordinances shall be followed. Due to potential County liability under the Illinois Endangered Species Protection Act (520 ILCS 10/11(b)), it is required that any crops planted be in compliance with all federal and state laws protecting endangered species. This will also include pollinators such as bees. A report showing demonstration of plan compliance shall be submitted annually and paid for by the developer.

5. A qualified engineer shall certify that the foundation and design of the solar panels racking and support is within accepted professional standards, given local soil and climate conditions.

6. All solar farms shall be in compliance with all applicable local, State and Federal regulatory codes and the National Electric Code, as amended.

7. Power and communication lines running between banks of solar panels and to nearby electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by Kendall County in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines or distance makes undergrounding infeasible, at the discretion of the Kendall County Planning, Building and Zoning Department. In addition, the Illinois Department of Agriculture (IDOA) has established standards and policies in the Agricultural Impact Mitigation Agreements (AIMA) regarding the construction or burial of electric transmission lines which should be agreed to and adhered to between the landowner and the developer.

8. A detailed site plan for both existing and proposed conditions must be submitted, showing location of all solar arrays, other structures, property lines, rights-of-way, service roads, floodplains, wetlands and other protected natural resources, topography, farm tile, electric equipment, fencing, and screening materials and all other characteristics requested by Kendall County. The site plan should also show all zoning districts and overlay districts.

9. For solar farms located within five hundred feet (500’) of an airport or within approach zones of an airport, the applicant must complete and provide the results of the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with
the Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.

10. Solar farm developers shall be required to initiate a natural resource review consultation with the Illinois Department of Natural Resources (IDNR) through the department’s online, EcoCat program. Areas reviewed through this process will be endangered species and wetlands. The cost of the EcoCat consultation will be borne by the developer.

E. Setback Requirements. Unless otherwise stated in the Kendall County Zoning Ordinance, the setback requirements for all solar energy systems shall meet the structure minimum setback requirements when the solar energy system is oriented at any and all positions.

No solar energy system shall be located in any front yard of any residentially zoned or used property.

F. Design Standards. Active solar energy systems shall be designed to conform to the County’s Land Resource Management Plan and to blend into the architecture of the building or may be required to be screened from the routine view from public rights-of-way other than alleys. Screening may be required to the extent it does not affect the operation of the system. The color of the solar collector is not required to be consistent with other roofing materials.

1. Building integrated photovoltaic solar energy systems shall be allowed regardless of whether the system is visible from the public right-of-way, provided the building component in which the system is integrated meets all required setback, land use or performance standards for the district in which the building is located.

2. Solar energy systems using roof mounting devices or ground-mount solar energy systems shall not be restricted if the system is not visible from the closest edge of any public right-of-way or immediately adjacent to a residential structure.

3. All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector affecting adjacent or nearby properties. Measures to minimize glare include selective placement of the system, screening on the north side of the solar array, modifying the orientation of the system, reducing use of the reflector system, or other remedies that limit glare.

4. For solar units located within 500 feet of an airport or within approach zones of an airport, the applicant must complete and provide the results of the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim
Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.

G. Coverage. Roof or building mounted solar energy systems, excluding building-integrated systems, shall allow for adequate roof access for fire-fighting purposes to the south-facing or flat roof upon which the panels are mounted. Ground-mount private solar energy systems shall be exempt from impervious surface calculations if the soil under the collector is not compacted and maintained in vegetation. Foundations, gravel, or compacted soils are considered impervious.

H. Plan Approval Required. All solar energy systems shall require administrative plan approval by the Kendall County Building Official via the review of the application for a building permit.

1. Plan applications for solar energy systems shall be accompanied by horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mount system including the property lines.

2. For all roof-mounted systems other than a flat roof, the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.

3. For flat roof applications, a drawing shall be submitted showing the distance to the roof edge and any parapets on the building shall identify the height of the building on the street frontage side, the shortest distance of the system from the street frontage edge of the building, and the highest finished height of the solar collector above the finished surface of the roof.

4. Applications that meet the design requirements of the Kendall County Zoning Ordinance and do not require an administrative variance shall be granted administrative approval by the Zoning Administrator and not require Planning, Building and Zoning Committee review. Plan approval does not indicate compliance with Building or Electrical Codes.

I. Approved Solar Components. Electric solar energy system components must have a UL listing approved equivalent and solar hot water systems must have an SRCC rating.

J. Compliance with Building Code. All active solar energy systems shall meet approval of County building officials; solar thermal systems shall comply with HVAC-related requirements of the Illinois State Energy Code. All County adopted building codes will apply and take precedence where applicable.
K. Compliance with State Plumbing Code. Solar thermal systems shall comply with applicable Illinois State Plumbing Code requirements.

L. Compliance with State Energy Code. All photovoltaic systems and solar thermal systems shall comply with the Illinois State Energy Code.

M. Utility Notification. All grid-intertie solar energy systems shall comply with the interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.

N. Building Permit Requirements and Fees. All solar energy systems will be required to have a Kendall County Building Permit before any work can be started. A written plan and a plat/drawing for the proposed solar energy system shall be provided with the Building Permit Application. The plat/drawing must show the location of the system on the building or on the property, (for a ground-mount system show arrangement of panels), with all property lines and set back footages indicated. Fees for processing the applications for building permits shall be submitted to and collected by the Kendall County Planning, Building and Zoning Department as follows:

<table>
<thead>
<tr>
<th>Kilowatts (kW)</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-10</td>
<td>$150.00</td>
</tr>
<tr>
<td>11-50</td>
<td>$300.00</td>
</tr>
<tr>
<td>51-100</td>
<td>$600.00</td>
</tr>
<tr>
<td>101-500</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>501-1,000</td>
<td>$2,750.00</td>
</tr>
<tr>
<td>1,001-2,000</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>Over 2,000</td>
<td>$6,000.00 + $200.00 for each additional 0-100 kilowatts</td>
</tr>
</tbody>
</table>

Any solar energy system that construction has started before a Building Permit has been applied and paid for will be charged double the permit fee.

O. Liability Insurance and Indemnification.

1. For Solar Farms and Solar Gardens, commencing with the issuance of building permits, the Applicant, Owner, or Operator shall maintain a current general liability policy covering bodily injury and property damage with limits of at least Three Million Dollars ($3 Million) per occurrence and Five Million Dollars ($5 Million) in the aggregate. Such insurance may be provided pursuant to a plan of self-insurance, by a party with a net worth of Twenty Million Dollars ($20 Million) or more. The County shall be named as an individual insured on the policy to the extent the county is entitled to indemnification.

2. For private/individual SES(s), commencing with the issuance of building permits, the applicant or owner shall maintain a current liability policy
covering bodily injuries and any damage that may occur, on their home owner’s policy or other applicable policy as approved by the Planning, Building and Zoning Department. (Remove Per Brian Holdiman)

3. Any SES(s), applicant, owner, or operator, whether individual or commercial, shall defend, indemnify, and hold harmless the County and its officials, employees, and agents (collectively and individually, the “Indemnified Parties”) from and against any and all claims, demands, losses, suits, causes of actions, damages, injuries, costs, expenses, and liabilities whatsoever, including reasonable attorney’s fees, except to the extent arising in whole or part out of negligence or intentional acts of such Indemnified Parties (such liabilities together known as “liability”) arising out of applicant, owner, or operators selection, construction, operation, and removal of the SES(s) and affiliated equipment including, without limitation, liability for property damage or personal injury (including death), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence). This general indemnification shall not be construed as limited or qualifying the County’s other indemnification rights available under the law.

P. Decommissioning Plan.

1. Upon the request of the Kendall County Planning, Building and Zoning Department, an owner of a commercial solar energy system must provide documentation, within thirty (30) days, that the solar energy system is still in use. If the solar energy system is not in use, the owner of the system shall have 180 days, after notification from the Kendall County Planning, Building and Zoning Department, to remove the solar energy system from the property.

2. A decommissioning plan shall be required at the time of applying for all solar farms and solar gardens to ensure that the facilities are properly removed after their useful life.

3. Decommission of solar panels must occur in the event they are not in use for ninety (90) consecutive days.

4. The owner or operator will have six (6) months to complete the decommissioning plan after operation of a solar farm or solar garden ceases.

5. The decommissioning plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation, and a plan ensuring financial resources will be available to fully decommission the site.
6. The Kendall County Board may require the posting of a bond, letter of credit, or the establishment of an escrow account to ensure the proper decommissioning. The posting of a bond may be required prior to the issuance of a building permit for the facility.

7. In the event that the State of Illinois enacts a law with regards to the decommissioning of a solar farm, the strictest requirements shall prevail.

Q. Other Requirements.

1. Upon request from the Kendall County Planning, Building and Zoning Department, an owner of a commercial solar energy system must provide documentation, within thirty (30) calendar days, that the solar energy system is still in use. If it is not still in use, the owner of the system will have one hundred eighty (180) calendar days, after notification from the Planning, Building and Zoning Department, to remove the solar energy system from the property.

2. Upon request from the Kendall County Planning, Building and Zoning Department, the owner or operator of a solar farm or a solar garden must submit, within fourteen (14) calendar days, a current operation and maintenance report to the Department.

3. In all undeveloped areas, the solar energy developer will be required to complete a consultation with both the Illinois Historic Preservation Agency (IHPA) and the Illinois Department of Natural Resources (IDNR) through the Department's online EcoCat Program. The cost of this consultation shall be at the developer’s expense. The final certificate from EcoCat shall be provided to the Kendall County Planning, Building and Zoning Department before a permit or special use permit will be issued.

4. No fencing is required; however, if installed on the property the fencing shall have a maximum height of eight (8) feet. The fence shall contain appropriate warning signage that is posted such that is clearly visible on the site.

5. Any lighting for solar farms or solar gardens shall be installed for security and safety purposes only. Except for lighting that is required by the FCC or FAA, all lighting shall be shielded so that no glare extends substantially beyond the boundaries of the facility.

6. Reflection angles for solar collectors shall be oriented such that they do not project glare onto adjacent properties.

7. Electric solar energy system components must have a UL listing and must be designed with anti-reflective coating(s).
8. Solar energy systems must be in compliance with all State of Illinois Plumbing and Energy Codes.

Amend Section 7.01.D by adding:

“54. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.

55. Solar Farms subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.”

Amend Section 8.02.C by adding:

“19. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.”

Amend Section 8.03.H.1 by adding

“p. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.”

Amend Section 8.09.B by adding

“9. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.”

Amend Section 9.02.C

“15. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.”

Amend Section 9.03.C

“26. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.”

Amend Section 9.04.C

“29. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.”

Amend Section 9.05.C

“20. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.”
Amend Section 9.06.F

“Solar Gardens. Solar gardens shall be a special use in the B-5 Business Planned Development District.

Amend Section 9.07.C

“19. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.”

Amend Section 10.03.B

“5. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.”

Amend the Table of Uses to reflect Solar Gardens as special use in every zoning district and Solar Farms as a special use in the A-1 District.
Senior Planner Matt Asselmeier called the meeting to order at 9:00 a.m.

Present:
Aaron Rybski – Health Department
Don Clayton – GIS
Fran Klaas – Highway Department
David Guritz – Forest Preserve (Arrived at 9:05 a.m.)
Megan Andrews – Soil and Water Conservation District
Brian Holdiman – PBZ Department
Matt Asselmeier – PBZ Department

Absent:
Greg Chismark – WBK Engineering, LLC
Deputy Commander Jason Langston – Sheriff’s Department
Robert Davidson – PBZ Committee Chair

Audience:
None

AGENDA
Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the agenda as proposed. With a voice vote of all ayes the motion carried.

MINUTES
Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the March 6, 2018 meeting minutes with a correction to Petition 18-05 that an alternative sewer system “may” not “will” be required at the site. With a voice vote of all ayes the motion carried.

PETITION
Mr. Asselmeier summarized the request. In recent months, the Kendall County Planning, Building and Zoning Department has received inquiries from solar energy consultants and property owners desiring to place solar panels on properties throughout the County. These solar panels would be used to generate power offsite from the location where the solar panels are placed. Kendall County adopted solar panel zoning regulations in 2010 and 2011, but these regulations focused on generating solar energy and using that energy onsite. The County also has zoning regulations for power plants, but many solar energy consultants were uncomfortable with a “power plant” classification.

Earlier in 2018, the Planning, Building and Zoning Committee instructed Staff to study the solar panel regulations of several counties. The proposed regulations of Boone, DeKalb, Grundy, Kankakee, Tazewell, and Will Counties were examined.

Mr. Guritz arrived at this time (9:05 a.m.)

At their meeting on March 12, 2018, the Planning, Building and Zoning Committee approved initiating text amendments to the Kendall County Zoning Ordinance incorporating DeKalb County’s proposed regulations into the Kendall County Zoning Ordinance. DeKalb County adopted their regulations in March 2018.

The proposal states that solar farms are greater than twenty (20) acres in size; solar gardens are a maximum twenty (20) acres, and solar panels are considered accessory if they produce not greater than one hundred twenty (120%) of the solar need for onsite consumption of energy. Solar gardens would be special uses in all zoning classifications. However, the special use permit could be waived if adjoining property owners sign affidavits agreeing to the placement of the solar garden. Solar farms are special uses in the A-1 district.

Mr. Holdiman previously suggested that 4.18.O.2 be removed from the proposal because the County currently does not require insurance for existing solar panels.
The Kendall County Farm Bureau was sent the proposal in March. They questioned why the bonding requirement was "may" and not "shall" (4.18.P.6).

The townships were mailed the proposal on March 22nd. To date, no townships have submitted comments.

Ms. Andrews suggested that 4.18.D.10 should be removed because the same language is found in 4.18.Q.3.

Ms. Andrews asked when an NRI would occur. Mr. Asselmeier responded that an NRI would occur as part of the application in the same way as other special use permit applications.

Ms. Andrews suggested requiring a more detailed contour map with existing vegetation, waterways, wetland boundaries, and FEMA FIRM information in a manner described in the Boone County ordinance.

Mr. Holdiman noted that 4.18.C.8 references a “State of Illinois Uniform Building Code”. This code does not exist and he recommended that the reference to such code be removed.

Mr. Klaas questioned allowing solar gardens by special use in all districts, particularly residential districts. Mr. Holdiman noted that most of the homeowners’ associations will restrict the placement of solar panels within the subdivisions. Mr. Klaas questioned whether or not enough space existed on residential lots to make the placement of solar gardens worthwhile or practical in most cases.

Mr. Rybski expressed a concern that solar panels not be installed in such a manner that negatively impacts septic fields or the function of septic fields. The area of the septic field should be kept free of structures for functioning and maintenance purposes. Ms. Andrews noted Boone County’s requirements related to abandoned wells. Mr. Holdiman noted that, at the time of building permit submittal, the Health Department should catch the location of wells and septic systems in relation to solar panels and related solar panel infrastructure.

Ms. Andrews suggest that the word “crops” found in line 7 of 4.18.C.4 be replaced with “vegetation” because crops probably will not be the only plants growing around the solar panels. Crops probably will not grow around the solar panels.

Mr. Guritz asked about the lot size in Henneberry Woods as it relates to this proposal. Mr. Holdiman noted that the new single-family home in Henneberry Woods was on twenty (20) acres.

Mr. Andrews made a motion, seconded by Mr. Guritz, to recommend approval of the proposed text amendment with the following amendments:

1. Section 4.18.D.10 should be removed because the same language is found in 4.18.Q.3.

2. A more detailed contour map with existing vegetation, waterways, wetland boundaries, and FEMA FIRM information in a manner described in the Boone County ordinance should be added to the proposal.

3. The reference to the State of Illinois Uniform Building Code found in Section 4.18.C.8 should be removed.

4. Greater discussion should occur regarding the desire to have solar gardens in residential zoned districts.

5. The word “crops” found in line 7 of 4.18.C.4 should be replaced with the word “vegetation” because crops probably will not be the only plants growing around the solar panels and crops probably will not grow around the solar panels.

Ayes (7): Klaas, Guritz, Rybski, Andrews, Clayton, Holdiman, and Asselmeier

Nays (0): None

Absent: (3) Langston, Chismark, and Davidson

The motion passed unanimously. This matter will go before the Kendall County Regional Planning Commission on April 25th.

**REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Mr. Asselmeier reported that Petition 17-33 transferring special use hearings from the Hearing Officer to the Zoning Board
of Appeals was approved by the County Board.

Mr. Asselmeier also reported that Petition 17-29 regarding distance notification requirements for special use applicants was sent back to the Planning, Building, and Zoning Committee by the Committee of the Whole.

Petition 18-03 regarding the items that ZPAC and Kendall County Regional Planning Commission reviews will have a public hearing on April 30th.

OLD BUSINESS/NEW BUSINESS
Mr. Asselmeier reported that the Illinois Department of Transportation recorded a document withdrawing the centerline protection for the Prairie Parkway.

PUBLIC COMMENT
None

ADJOURNMENT
Mr. Klaas made a motion, seconded by Ms. Andrews to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:39 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner
To: Kendall County Regional Planning Commission  
From: Matthew H. Asselmeier, AICP, Senior Planner  
Date: April 16, 2018  
Re: 18-07 Proposed Text Amendment to Section 13.08 by Adding Sub-Section R Pertaining to Special Use Permit Renewal Procedures

At their meeting on April 9, 2018, the Planning, Building and Zoning Committee reviewed the concerns of the Kendall County Regional Planning Commission regarding Petition 18-07 pertaining to proposed text amendments to Section 13.08 regarding special use permit renewal procedures.

Staff prepared the attached revised proposal based on the comments of the Planning, Building and Zoning Committee. The Planning, Building and Zoning Committee would like the County Board to have the ability to amend or revoke special use permits for cause by a supermajority vote. The Planning, Building and Zoning Committee also wanted the language related to previous owner(s) to remain in the proposal to avoid “shell games” of business entities changing their names. Staff prepared additional changes, which are noted in red, to clarify certain points of the procedure.

Staff does have concerns that the proposed procedure could create a conflict with the existing revocation procedures outlined in the Zoning Ordinance, a copy of which is attached. The majority of the special use permits issued in the last several years had provisions which stated the special use permit could be amended or revoked if the terms of the special use permit were violated.

The Planning, Building and Zoning Committee requests the Kendall County Regional Planning Commission’s comments and suggestions regarding Petition 18-07 pertaining to proposed text amendments to Section 13.08 regarding special use permit renewal procedures.

If you have any questions prior to the meeting on this topic, please let me know.

Thanks,

MHA

ENCS: Proposed Original Procedures 
Proposed Revised Procedures 
Existing Revocation Procedures
13.08.R. Special Use Renewal Procedures

1. All special use permits requiring renewal shall automatically be renewed for the same duration as listed in the special use permit currently in effect unless the owner of the special use permit or the Kendall County Board requests one or more amendments to the special use permit or if the owner or previous owner(s) of the special use permit violated the provisions and conditions of the special use permit during the most recent effective period of the special use permit.

2. If the owner of the special use permit or the Kendall County Board requests one or more amendments to the special use permit, then the amendments shall be processed under the applicable provisions of the Kendall County Zoning Ordinance for minor and major amendments to a special use permit, depending on the nature of the requested amendment(s).
   a. If the owner of the special use permit requests one or more amendments, the owner of the special use permit shall be responsible for paying all applicable fees related to the securing of the requested amendment(s).
   b. If the Kendall County Board requests one or more amendments to the special use permit at the time of renewal, the Kendall County Board shall be responsible for paying all applicable fees related to the securing of the requested amendment(s).
   c. The most recent special use permit shall remain effective until the expiration date listed in the special use permit or the date in which the Zoning Administrator, in cases of minor amendments, or the Kendall County Board, in cases of major amendments, issues a decision on the application, whichever is later.
   d. The Zoning Administrator, in cases of minor amendments, and the Kendall County Board, in cases of major amendments, may impose reasonable restrictions and conditions on any new or existing restriction or condition on an amended special use permit.
   e. If the Zoning Administrator, in cases of minor amendments, or the Kendall County Board, in cases of major amendments, denies an amendment application, the most current version of the special use permit shall remain in effect as outlined in Section 13.08.R.1 above.
   f. At least one (1) year shall lapse between the date of denial and the application for the same or similar amendment(s) to a special use permit at the same property.

3. If the owner or previous owner(s) of the special use permit is found guilty of violating the terms and conditions of the special use permit through an administrative adjudication process or by a court of competent jurisdiction during the most recent effective period of the special use permit, the owner of the special use permit shall apply for renewal of the special use permit under the same process as applications for new special use permits.
   a. If the owner of a special use permit applies for renewal under this sub-Section, the existing special use permit shall remain effective until the expiration date listed in the existing special use permit or until the Kendall County Board issues a decision on the renewal application, whichever is later.
   b. If the owner of a special use permit requiring renewal under this sub-Section of the Zoning Ordinance does not submit an application for renewal, then the special use permit shall be automatically revoked at its expiration date.
c. If the Kendall County Board denies a request for a required renewal of a special use permit, the existing special use permit shall be deemed expired and revoked on the expiration date listed in the existing special use permit. Nothing in the provision shall be construed as a regulation restricting the Kendall County Board from initiating revocation procedures as outlined in Section 13.08.F. of the Kendall County Zoning Ordinance.

d. If a special use permit is revoked under the provisions of b or c listed above, the Zoning Administrator shall cause the Official Zoning Map of Kendall County to be amended to reflect the revocation.

e. At least one (1) year shall lapse between the date of revocation and the application for a new special use permit for the same or similar use at the same property.

4. This Sub-Section shall apply to any special use permit issued after **INSERT DATE** requiring renewal. Any special use permit issued prior to this date that requires renewal may follow the provisions of this Sub-Section if the owner(s) of the special use permit sign a notarized affidavit agreeing to the provisions of this Sub-Section.
13.08.R. Special Use Renewal Procedures
1. All special use permits requiring renewal shall automatically be renewed for the same duration as listed in the special use permit currently in effect unless the Kendall County Board requests one or more amendments to the special use permit or if the owner or previous owner(s) of the special use permit violated the provisions and conditions of the special use permit during the most recent effective period of the special use permit.

2. If the Kendall County Board requests one or more amendments to the special use permit, the following process shall occur:
   a. Prior to initiating the amendment, the Kendall County Board shall direct the Planning, Building and Zoning Department to notify the property owner and owner of the special use permit by registered letter that changes to their special use permit are under consideration. The letter shall state specific changes proposed by the Kendall County Board. The letter shall be sent not earlier than six (6) months or less than two (2) months prior to the renewal period stated in the special use permit.
   b. After sending the required letter, the Kendall County Board may approve initiating amendment(s) to a special use permit by a favorable vote of not less than three-quarters (3/4) of the members of the Kendall County Board.
   c. The proposed amendments shall follow the procedure outlined in Section 13.08.O (Major Amendments of Special Use Permits) regardless of the size or nature of the proposed amendment to the special use permit.
   d. The Kendall County Board shall be responsible for paying all fees associated with the notification and holding of the hearing.
   e. After the completion of the procedure outlined in Section 13.08.R.2.c, the Kendall County Board may approve amendments to special use permits by favorable vote not less than three-quarters (3/4) of the members of the Kendall County Board.
   f. Within five (5) calendar days of approval of amendments to a special use permit, the Kendall County Planning, Building and Zoning Department shall notify the property owner and owner of the special use permit by registered mail of the changes to the special use permit.
   g. Changes approved by the Kendall County Board shall become effective thirty-five (35) calendar days after approval by the Kendall County Board. During the time period between the approval of the amendments and the amendments becoming effective, the conditions of the special use permit previously in effect shall remain in place.
h. If a proposed amendment fails to receive the required votes, the existing special use permit shall be automatically renewed for the same duration as listed in the special use permit currently in effect.

i. Nothing in this Sub-Section shall be construed to prevent a property owner or special use permit holder from applying for minor and major amendments to special use permits as outlined in Section 13 of the Kendall County Zoning Ordinance.

3. If the owner or previous owner(s) of the special use permit is found guilty of violating the terms and conditions of the special use permit through an administrative adjudication process or by a court of competent jurisdiction during the most recent effective period of the special use permit, the following procedure for amending or revoking a special use permit may occur:

   a. Prior to initiating an amendment or revocation, the Kendall County Board shall direct the Planning, Building and Zoning Department to notify the property owner and owner of the special use permit by registered letter that changes to or revocation of their special use permit are under consideration. The letter shall state specific changes proposed by the Kendall County Board. The letter shall be sent not earlier than six (6) months or less than two (2) months prior to the renewal period stated in the special use permit.

   b. After sending the required letter, the Kendall County Board may approve initiating amendment(s) to or revocation of a special use permit by a favorable vote of not less than three-quarters (3/4) of the members of the Kendall County Board.

   c. The proposed amendments or revocation shall follow the procedure outlined in Section 13.08.O (Major Amendments of Special Use Permits) regardless of the size or nature of the proposed amendment to or revocation of the special use permit.

   d. The Kendall County Board shall be responsible for paying all fees associated with the notification and holding of the hearing.

   e. After the completion of the procedure outlined in Section 13.08.R.3.c, the Kendall County Board may approve amendments to or revocations of special use permits by favorable vote not less than three-quarters (3/4) of the members of the Kendall County Board.

   f. Within five (5) calendar days of approval of amendments to or revocation of a special use permit, the Kendall County Planning, Building and Zoning Department shall notify the property owner and owner of the special use permit by registered mail of the changes or revocation to the special use permit.

   g. Changes approved by the Kendall County Board shall become effective thirty-five (35) calendar days after approval by the Kendall County Board. During the time period between the approval of the amendments and the amendments becoming effective, the conditions of the special use permit previously in effect shall remain in place.
h. Revocations of special use permits shall become effective thirty-five (35) calendar days after approval by the Kendall County Board. During the time period between the approval of the revocation and the revocation becoming effective, the conditions of the special use permit previously in effect shall remain in place.

i. If a proposed amendment or revocation fails to receive the required votes, the existing special use permit shall be automatically renewed for the same duration as listed in the special use permit currently in effect.

j. If a special use permit is revoked under the provisions of this Sub-Section, the Zoning Administrator shall cause the Official Zoning Map of Kendall County to be amended to reflect the revocation.

k. At least one (1) year shall lapse between the date of revocation and the application for a new special use permit for the same or similar use at the same property.

4. This Sub-Section shall apply to any special use permit issued after INSERT DATE requiring renewal. Any special use permit issued prior to this date that requires renewal may follow the provisions of this Sub-Section if the owner(s) of the special use permit sign a notarized affidavit agreeing to the provisions of this Sub-Section.
F. REVOCATION. In any case where a special use has not been established within two (2) years from the date of granting thereof, then, the County Board may revoke the special use, or if the special use has been discontinued for a continuous period of two (2) years, the County Board may revoke the special use. If a revocation is proposed, the Zoning Board of Appeals shall hold a public hearing (following procedures outlined in Section 13.08 H below) and submit to the County Board a report of their findings and recommendations. The current property owner shall be provided notice at least 15 days in advance of the hearing. *(Amended 3.21.18)*

If the special use permit holder wishes to discontinue the special use, he or she may request revocation of said special use, no matter the duration of time that the special use has been discontinued. The owner shall submit to the PBZ Department, in writing, a request to the County Board to revoke said special use. Such a request shall be signed by the owner. No public hearing shall be required for an owner initiated revocation. Said revocation shall be discussed by the PBZ Committee for review and recommendation to the County Board. A revocation shall not become effective unless approved by the County Board.
MEMORANDUM

To: Kendall County Comprehensive Land Plan and Ordinance Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: April 16, 2018
Re: Future Land Use Along Illinois Route 47 in Lisbon Township

At the March meeting, the Committee approved several changes to the proposed Future Land Use Map in Lisbon Township from the Land Resource Management Plan. A copy of the revised map, previous versions of the map, the Village of Lisbon’s future land use map, the proposed findings of fact, and the uses within the business and manufacturing zoning districts are attached.

The following land use/zoning matrix should be kept in mind:

Mining=M-3
Mixed Use Business=B-6, M-1, M-2 and M-3
Transportation Corridor= B-3, B-5 and B-6
Commercial= B-1, B-2 and B-3
Rural Settlements=Areas with a maximum 2,000 residents with a combination of residential and support services.

MHA

ENCS:4-16-18 Future Draft Lisbon Future LRMP
1-9-18 Future Draft Lisbon Future LRMP
Current Future Land Use Map for Lisbon Township
Future Land Use Map, Village of Lisbon
Proposed Findings of Fact and Draft Future Land Use Map
Business and Manufacturing District Permitted and Special Uses
DRAFT Lisbon Future LRMP
Helmar Rd to Sherrill Rd
KENDALL COUNTY
- 2018 -

http://www.co.kendall.il.us

Legend
- Outer Roads
- Proposed Roadways
- Future LRMP

Abbreviation
- Natural Resource Areas
- Shorely Sand Use Business
- Court Ordered Mining
- Open Space
- Undeveloped Areas
- Mixed Use Business
- Transportation Corridors
- Public Institutional
- Mining
- Rural Settlements
- Commercial
- Controled Growth Suburban Residential

Scale: 1 in = 1,667 feet

Outer Roads
Proposed Roadways
Future LRMP

Created using Kendall County Illinois data through 12/31/2016.
February 9, 2018

RE: Draft Changes to the Kendall County Future Land Use Map for Properties Adjacent to Route 47 in Lisbon Township

Dear Property Owner:

The Kendall County Regional Planning Commission and Kendall County Comprehensive Land Plan and Ordinance Committee are considering changing the Future Land Use Map for properties located adjacent to Route 47 in Lisbon Township. In general, the proposed changes are as follows:

1. Changing the Agricultural Area West of Route 47 from Slightly North of Townhall Road to the Kendall/Grundy County Line to Mining
2. Changing the Agricultural Area East of Route 47 from the Kendall/Grundy County Line North for a Distance of 0.50 Miles to Commercial
3. Changing the Agricultural Area at the Northwest, Southwest, and Northeast Quadrants of the Intersection of Routes 47 and 52 to Commercial
4. Changing the Agricultural Area at the Intersection of Route 47 and Plattville Road to Commercial
5. Removing Rural Settlement Classification from Map
6. Remaining Properties Along Route 47 from the Kendall/Grundy County Line to the Lisbon/Kendall Township Line Not Impacted by 1-5 Above Shall Be Changed from Agricultural to Mixed Use Business

The existing Future Land Use Map and the Draft Future Land Use Map are enclosed for your reference. The map key is:

- Mining=M-3 (Mining and Mining Related Uses)
- Mixed Use Business=B-6, M-1, M-2 and M-3 (Large Office and Manufacturing Uses)
- Commercial= B-1, B-2 and B-3 (Small Office and Retail Uses)

A meeting to obtain input from property owners impacted by this proposal shall be held on Wednesday, February 28th at 7:00 p.m. at the Plattville Fire Barn (6410 Chicago Road). Both Committees may make changes to the Draft Future Land Use Map based on the comments received at this meeting. A public hearing and review by the County Board will be required prior to the adoption of a final proposal.

If the Draft Future Land Use Map is approved, the zoning of your property will NOT change unless the property owner requests a change. The current uses of your property will NOT change unless the property owner initiates the change.

If you have any questions regarding this letter or meeting, please contact Matt Asselmeier, Kendall County Senior Planner at 630-553-4139 or masselmeier@co.kendall.il.us.
Sincerely,

THE COUNTY OF KENDALL

Matthew H. Asselmeier, AICP
Senior Planner

Encs:  Current Future Land Use Map
       Draft Future Land Use Map
Future Land Use
Lisbon Township
KENDALL COUNTY
- 2017 -

http://www.co.kendall.il.us

Legend
Future Land Use
Land Use Type
- Urban Areas - Incorporated
- Suburban Residential - Max Density 1.00 DU Acres
- Rural Residential Max Density 0.65 DU Acres
- Rural Estate Residential Max Density 0.45 DU Acre
- Countryside Residential Max Density 0.33 DU Acre
- Commercial
- Commonwealth Edison
- Mixed Use Business
- Transportation Corridors
- Mining
- Potential Mining District
- Public/Institutional
- Agriculture
- Open Space
- Forest Preserve/State Parks
- Unknown
- FEIS_centerline
- Protected Corridor - 2007

Scale: 1 in = 2,000 feet
DRAFT Lisbon Future LRMP
Helmar Rd to Sherrill Rd
KENDALL COUNTY
- 2018 -
http://www.co.kendall.il.us

Legend

- Outer Roads
- Regional Roadways
- Future LRMP

Abbreviation

Natural Resource Areas
Shoreline Mixed Use Business
Court Ordered Mining
Open Space
Unzoned Areas
Mixed Use Business
Transportation Corridors
Public Institutional
Mining
Rural Settlements
Commercial
Continued Growth Suburban Residential
Findings of Fact for Proposed LRMP Map Changes Along Route 47 (Approximately 5.5 Miles) in Lisbon Township

1. The Illinois Department of Transportation approved Alternative B5 in 2007 which called for the widening of Route 47 from Caton Farm Road to the Grundy County Line through Lisbon Township as part of the Prairie Parkway Project.

2. The purpose of the Prairie Parkway was to:
   a. “Improve regional mobility by providing more north-south, higher speed multi-lane roads or additional lanes to serve traffic growth and reduce regional travel times for long distance travel.
   b. Address local system deficiencies by developing a transportation system that serves forecast growth in local traffic and reduces travel times.
   c. Improve access from the study area to regional jobs by serving the forecast growth in work trips and by reducing travel times from the study area current and future jobs.
   d. Improve safety by reducing existing and projected growth in motor vehicle crashes”

3. The Illinois Department of Transportation did not conduct any economic analysis of the impact of the proposed Prairie Parkway on lands located near Route 47 south of Caton Farm Road. Source: Illinois Department of Transportation

4. Changes to the alignment of the Prairie Parkway could cause the Illinois Department of Transportation to re-study the corridor, including updating the NEPA environmental reports, if federal dollars were pursued.

5. There are commercial and industrial lands in Grundy County and Minooka closer to Interstate 80 interchange
   a. Kraft facility has 1 million square feet available.
   b. 150 acres is available across from the Morris Airport
   c. Morris plans warehouses out to Brisbin Road.
   d. Morris plans retail on Route 47 north of town.
   e. Morris plans industrial uses by the airport.
      Source: Grundy County EDC

6. The City of Morris has extended water lines to Minooka Road and sanitary sewer lines to Nelson Road; no plans to extend infrastructure into Lisbon Township. The City of Morris obtains water for the area north of Interstate 80 from wells south of Interstate 80 Source: Guy Christensen, City of Morris
7. The Chicago Metropolitan Agency for Planning, in the Kendall County Industrial Market Analysis of April 2016, concluded that industrial uses would favor locations near Minooka and inside Grundy County because of their proximity to Interstate 80 (Page 34).

8. Any buildings constructed presently along the corridor will utilize wells and septic systems. Larger buildings (over 5,000 square feet) will need adequate water for fire suppression and/or will need to be constructed with appropriate firewalls.

9. No fiber optics lines currently exist in the area.

10. Traffic counts along Route 47 in Lisbon Township have generally declined since 2003 with the exception for the north end of the Township:
   a. 5400 (2003) to 4950 (2017) south end of County
   b. 6300 (2003) to 4950 (2017) south end Route 47 and 52 interchange
   c. 6600 (2003) to 6250 (2017) north of Chicago Road
   d. 6400 (2003) to 6700 (2017) at Newark Road
      Source: Illinois Department of Transportation

11. Traffic Counts on Route 52 have remained steady since 2003:
   a. 1800 (2003) to 1600 (2017) south of Bushnell School Road
   b. 2900 (2003) to 3350 (2017) east of 47
      Source: Illinois Department of Transportation

12. Current traffic accents are most likely to occur near road intersections; many of these accidents are “failure to yield” type accidents. The types of accidents could change and could include more overcorrection type accidents after the widening project is completed. Source: Kendall County Sherriff’s Department


14. The Village of Lisbon’s existing Comprehensive Plan calls for commercial, mixed uses and mining along and near the corridor. Source: Village of Lisbon Comprehensive Plan (2009)

15. The intersection of Routes 47 and 52 is the most likely area on the northeast side of an enlarged Village of Lisbon where sales tax producing businesses could locate. The northeast corner of the intersection is already zoned B-3 Highway Business.
16. Existing mining operations are located in Sections 21, 28 and 33. The mining operations could expand into Sections 32, 29 and 20.

17. West Aux Sable Creek is located in the area.

18. The intersection of Plattville Road and Route 47 is the most likely area on the west side of an enlarged Village of Plattville where sales tax producing businesses could locate.

19. Grainco FS and CHS Elburn currently operate grain storage facilities between Helmar and Newark Roads on the west side of Route 47. These uses are special uses in the A-1 Zoning District and are Permitted Uses in the M-2 Zoning District.

20. Commonwealth Edison has a ROW along Route 47 running north to south and near Townhall Road running east to west.

21. The Kendall County Land Resource Management Plan includes classifications for Commercial Uses (office and retail establishments at nodes), Transportation Corridor Uses (uses in B-3, B-5 and B-6 Zoning Districts), Mixed Use Business (uses in B-6 and the 3 Manufacturing Districts) and Mining.

22. Most of the land along the corridor is currently used for agricultural purposes.

23. The Kendall County Economic Development Committee would like outer roads to ensure to prevent interruption of traffic flows in the area. The Committee was also concerned about adequate water and the aesthetics of the corridor. The Committee also wanted a portion of the corridor reserved for industrial uses.

24. Few houses are located along the corridor. Locations with less traffic tend to be better suited for residential uses and these locations exist elsewhere in the County. No loss of affordable housing units is anticipated. The County will remain in compliance with the Illinois Affordable Housing Planning and Appeal Act (310 ILCS 67).
9.04 B-3 HIGHWAY BUSINESS DISTRICT

A. Purpose: The B-3, Highway Business District is intended for major retail, service and repair establishments serving a large trade area, usually the entire County or beyond and oriented to the traveling public. The trade area population served by these establishments requires easy access, although patronage is more dispersed and visits to these establishments less frequent than in the B-1 District and B-2 District. It is the intent of the B-3 District regulations that establishments desiring location along major traffic routes are grouped with appropriate and adequate access ways provided.

B. Permitted Uses. The following uses are permitted:

1. All Permitted Uses identified in the B-2 General Business District

2. Agricultural implement sales and service on an open lot or within a building.

3. Animal hospital

4. Banquet Halls are permitted subject to the following conditions:
   a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.
   b. The subject parcel must be a minimum of 5 acres.
   c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
   d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.
   e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.
   f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
   g. The noise regulations are as follows:

      Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.
Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

**EXEMPTION:** Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

5. Beverages, non-alcoholic, bottling and distributing.

6. Boat, Trailer and Recreational Vehicle sales or rental and service

7. Carpet and Rug Stores

8. Clean up and restoration services with the following conditions:
   a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
   b. All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.
   c. All operations are to take place inside an enclosed structure.
   d. A waste management plan must be submitted for approval and included as an exhibit to the approving ordinance
   e. A material management plan must be submitted including where items will be stored on site including but not limited to chemicals and belongings.
   f. No materials that are brought in can be burned on this site.
   g. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).
   h. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.

9. Construction equipment sales and service.

10. Crematories/ Funeral Homes

12. Drive through or drive up windows for any permitted use excluding the sale of alcoholic beverages.

13. Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than fifteen hundred pounds of dry goods per day, and when using carbon tetrachloride or other similar non-inflammable solvents approved by the State Fire Marshal.

14. Health clubs (public or private) and related accessory uses.

15. Hotel and/or Motels

16. Indoor entertainment and recreation

17. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place.

18. Laundries, automatic self-service types or hand employing not more than two persons in addition to one owner or manager, provided that laundry machines shall not exceed ten pounds capacity each.

19. Miniature Golf Courses

20. Motor Vehicle Service Stations for Retail Sale of Gasoline and Oil for Motor Vehicles

21. Motor Vehicle Sales/Motorcycle Sales

22. Motor Vehicle/Motorcycle service stations, including repair and rebuilding, or painting of motor vehicles

23. Motor Vehicle washing—Facilities including the use of mechanical conveyers, blowers and steam cleaning.

24. Nurseries and greenhouses

25. Parking Garages for storage of private passenger automobiles and commercial vehicles under one and one-half ton capacity.

26. Restaurants, including the drive-in type where food is served to customers remaining in motor vehicles.

27. Taverns

C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00.
1. Child Day Care Facility
2. Clubs and Lodges (non-profit), fraternal or religious institutions.
3. Communication Uses
4. Community Center/ After school programs/ Educational Center
5. Consumer credit, payday loan offices, financing or financial offices.
6. Dwelling units for Watchmen and Families including a Caretaker.
7. Fertilizer sales, including limited storage.
8. Hospitals
9. Indoor Target Practice with the following conditions:
   a. The indoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan. Plans require engineer certification for soundproofing and appropriate design.
   b. Must be at least 150’ from existing dwellings and property lines of schools, daycares, and places of worship.
   c. Hours of operation from 7am to 10pm
   d. No alcohol allowed.
   e. Must meet all requirements of the Kendall County Health Department.
   f. All applicable Federal, State, EPA and County rules and regulations shall be adhered to.
10. Kendall County Sheriff’s Office shooting range with conditions to be set and approved by the County Board.
11. Kennels with the condition that the kennels must be located inside and must be located a minimum of 250’ from the lot line of lots zoned residential or shown as Residential on the Land Resource Management Plan (LRMP) map and 150’ from lots zoned other than residential or shown on the LRMP map as non-residential. The animals must be indoors by sunset.
12. Landscaping business, provided that:
   a. All vehicles equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.
b. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County’s LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.

c. No landscape waste generated off the property can be burned on this site.

13. Meetings Halls

14. Micro-Brewery and/or Winery

15. Micro Distillery subject to the following conditions:
   a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
   b. Locally grown inputs shall be used to the greatest extent possible
   c. The number of hours permitted to operate shall be on the approving ordinance.
   d. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.
   e. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.
   f. Shall contact & meet all requirements of the Kendall County Health Department.
   g. A waste management plan should be submitted to the Kendall County Health Department

16. Outdoor storage provided such storage is screened from adjacent and surrounding properties.

17. Outdoor amusement establishments, carnivals, kiddie parks, and other similar amusement centers, and including places of assembly devoted thereto, such as stadiums and arenas.

18. Pawn Shop

19. Performing arts center subject to the following conditions:
a. The site shall have frontage on and access to a collector or arterial road, provided that the highway authority with jurisdiction over the subject road may approve alternative access.
b. The site shall be shown as a commercial area on the Land Resource Management Plan.
c. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations)
d. The amount of students and type of events are listed in the approving ordinance.
e. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
f. Must meet applicable Fire Protection District codes.

20. Places of Worship subject to the following conditions:
   a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.
   b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.
   c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00

21. Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured. The total retail sales area on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet. Said sales areas shall be set back at least ninety (90) feet from the center line of all adjacent roads with off-street parking for a minimum of five (5) cars. Seasonal outdoor displays on above listed items are also permitted.

22. Public or Private Utilities and Service uses:
   a. Telecommunications hub
   b. Filtration plant, pumping station, and water reservoir.
   c. Sewage treatment plant.
   d. Electric substations and booster stations.
   e. Other Similar uses
23. Retail or wholesale sales yards for agricultural products including, but not necessarily limited to, fruits, vegetables, flowers, plants, etc., that are not grown on the premises.

24. Self-Service Storage Facilities

25. Telecommunications Stations


27. Truck Driving School

28. Truck Stop

D. Conditional Uses. All conditional uses outlined in the B-2 General Business District (Section 9.03D) may be permitted only if specifically authorized by the Zoning Administrator.

9.06 B-5 BUSINESS PLANNED DEVELOPMENT

A. Purpose. The B-5 Business Planned Development (BPD) District is intended to provide for greater freedom, imagination, and flexibility in the development of land while assuring appropriate development standards. To this extent it allows diversification and variation in the relationship of uses, structures, and open spaces in developments planned as comprehensive, cohesive projects which are unified by a shared concept. It is further intended to encourage the beneficial integration of different compatible land uses at a proper scale and to encourage better design, provision of amenities, and the efficient use of public services through the use of planned unit development procedures. The intensity and profile of the development within this District are intended to be compatible with all adjacent uses.

B. Permitted Uses. Permitted uses shall be consistent with the purpose of this District, including a wide variety of retail, office, general commercial and light industry. A permitted use list shall be developed and approved with each zoning request in the BPD District.
Permitted Uses

1. Accessory uses.
2. Banks and financial institutions
3. Business or trade school.
4. Colleges or universities, including dormitories, fraternities, sororities and other accessory buildings and structures when located on the college or university grounds, but not including business colleges or trade schools when operated for profit.
5. Consumer credit, payday loan offices, financing or financial offices.
6. Fire Stations
7. Governmental buildings and facilities
8. Hospital.
9. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place.
10. Offices, business and professional, including medical clinics.
11. Parking Garages for storage of private passenger automobiles and commercial vehicles under one and one-half ton capacity
12. Planned Developments- Business
13. Police Stations.
14. Research laboratories, including the testing of products, but not including the manufacturing of products, except as incidental to the research and testing of products
15. Schools (including music, dance, business, driving, commercial, or trade but excluding truck driving)
16. Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction
17. Wholesale sales, displays and offices, but not including storage or warehousing

Special Uses

1. Book and stationary stores when Services are intended to serve the immediate convenience needs of persons employed in the area
2. Child Day Care Facility
3. Convenience store
4. Dwelling Unit for Watchmen and Families including a Caretaker
5. Health clubs (public or private) and related accessory uses.
6. Hotel and/or motel
7. Indoor Target Practice
8. Kendall County Sheriff’s Office shooting range with conditions to be set and approved by the County Board.
9. Light manufacturing and assembly
10. Packaged Liquor Store or any sale of alcoholic beverages when associated with a brewery or winery.
11. Places of Worship
12. Private clubs such as soccer, etc.
13. Public or Private Utilities and Service uses:
  a. Telecommunications hub
b. Filtration plant, pumping station, and water reservoir.
c. Sewage treatment plant.
d. Electric substations and booster stations.
e. Other Similar uses

14. Restaurants and/or taverns
15. Services or commercial uses intended primarily to serve the immediate convenience needs of persons employed in the area, including office supply stores, restaurants (but not drive-in facilities), dry cleaning (but not on-site plant) and similar uses
16. Self Service Storage Facilities (enclosed)
17. Telecommunications stations
18. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-6 District

M-1
Permitted Uses

1. Ambulance Service (Private)
3. Auction Facility
4. Banquet Halls
5. Beverages, non-alcoholic, bottling and distributing.
6. Business or trade school
7. Clean up and restoration services
8. Colleges or universities, including dormitories, fraternities, sororities and other accessory buildings and structures when located on the college or university grounds.
9. Construction equipment sales and service.
10. Contractors’ offices and shops.
11. Glass cutting and glazing establishments
12. Light manufacturing and assembly.
13. Micro Distillery
14. Miscellaneous uses - as follows:
   Accessory uses.
   Signs.
   Temporary buildings for construction purposes for a period not to exceed the duration of such construction.
15. Motor vehicle Sales/ Motorcycle Sales including truck sales.
17. Offices, business and professional, including medical clinics.
19. Public and community service uses - as follows:
   Bus terminals, bus garages, bus lots, street railway terminals, or street car houses.
   Electric sub-stations.
   Fire stations.
   Governmental buildings and facilities
   Municipal or privately owned recreation buildings
   Police stations.
   Sewage treatment plants.
Telephone exchanges.
Water filtration plants.
Water pumping stations.
Water reservoirs.

20. Production, publishing, processing, cleaning, testing, or repair, limited to the following uses and products:

- Apparel and other products manufactured from textiles.
- Art needle work and hand weaving.
- Motor vehicle painting, upholstering, repairing, reconditioning, and body and fender repairing when done within the confines of a structure.
- Awnings, venetian blinds.
- Bakeries.
- Beverages - non-alcoholic.
- Blacksmith shop.
- Books - hand binding and tooling.
- Bottling works.
- Brushes and brooms.
- Building equipment, building materials, lumber, coal, sand and gravel yards, and yards for contracting equipment of public agencies, or public utilities, or materials or equipment of similar nature.
- Cameras and other photographic equipment and supplies.
- Canning and preserving.
- Canvas and canvas products.
- Carpet and rug cleaning.
- Carting, express hauling or storage yards.
- Cement block manufacture.
- Ceramic products - such as pottery and small glazed tile.
- Cleaning and dyeing establishments when employing facilities for handling more than fifteen hundred pounds of dry goods per day.
- Clothing.
- Cosmetics and toiletries.
- Creameries and dairies.
- Dentures.
- Drugs.
- Electrical appliances, such as lighting fixtures, irons, fans, toaster and electrical toys.
- Electrical equipment assembly, such as home radio and television receivers and home movie equipment, but not including electrical machinery.
- Electrical supplies, manufacturing and assembly of - such as wire and cable assembly, switches, lamps, insulation and dry cell batteries.
- Food products, processing and combining of (except meat and fish) - baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing.
- Fur goods, not including tanning and dyeing.
- Glass products, from previous manufactured glass.
- Hair, felt and feather products (except washing, curing and dyeing).
- Hat bodies of fur and wool felt.
- Hosiery.
House trailer, manufacture.
Ice, dry and natural.
Ink mixing and packaging and inked ribbons.
Jewelry.
Laboratories - medical, dental, research, experimental, and testing - provided there is no danger from fire or explosion nor of offensive noise, vibration, smoke, dust, odors, heat, glare, or other objectionable influences.
Laundries.
Leather products, including shoes and machine belting, but not including tanning and dyeing.
Luggage.
Machine shops for tool, die and pattern making.
Meat products.
Metal finishing, plating, grinding, sharpening, polishing, cleaning, rustproofing and heat treatment.
Metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils.
Musical instruments.
Orthopedic and medical appliances, such as artificial limbs, braces, supports and stretchers.
Poultry and rabbits - slaughtering.
Precision instruments - such as optical, medical and drafting.
Products from finished materials - plastic, bone, cork, feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious and semi-precious stones, rubber, shell or yard.
Printing and newspaper publishing, including engraving and photoengraving.
Public utility electric substations and distribution centers, gas regulations centers and underground gas holder stations.
Copying/Reproduction Stores & banner or sign supplies
Rubber products, small, and synthetic treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps and atomizers.
Silverware, plate and sterling.
Soap and detergents, packaging only.
Soldering and welding.
Sporting and athletic equipment, such as balls, baskets, cues, gloves, bats, racquets, and rods.
Statuary, mannequins, figurines and religious and church art goods, excluding foundry operations.
Storage of household goods.
Storage and sale of trailers, farm implements and other similar equipment on an open lot.
Storage of flammable liquids, fats or oil in tanks each of fifty thousand gallons or less capacity, but only after the locations and protective measures have been approved by local fire chief in the district in which the subject property is located.

Textiles - spinning, weaving, manufacturing, dyeing, printing, knit goods, yard goods, thread, and cordage, but not including textile bleaching.

Tool and die shops.

Tools and hardware - such as bolts, nuts, and screws, doorknobs, drills, hand tools and cutlery, hinges, house hardware, locks nonferrous metal castings, and plumbing appliances.

Toys.

Truck, truck tractor, truck trailer, car trailer, or bus storage yard, when all equipment is in operable condition, but not including a truck or motor freight terminal, which shall be treated under sub-section 10.01-C.

Umbrellas.

Upholstering (bulk), including mattress manufacturing, rebuildings, and renovating.

Vehicles, children's - such as bicycles, scooter, wagons and baby carriages.

Watches.

Wood products, such as furniture, boxes, crates, baskets and pencils and cooperage works.

Any other manufacturing establishment that can be operated in compliance with the performance standards set forth in Section 4.12 without creating objectionable noise, odor, dust, smoke, gas, fumes, or vapor; and that is a use compatible with the use and occupancy of adjoining properties.

21. Retail and services as follows:

Motor vehicle service station for the retail sale of gasoline and oil for motor vehicles, for minor services which may be conducted out of doors.

Motor vehicle/Motorcycle Service Stations (includes repair, rebuild, and painting)

Banks and financial institutions

Carpet and Rug Stores

Catering Establishments as long as it conforms to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance.

Contractor or construction such as: building, cement, electrical, refrigeration, masonry, building, plumbing, roofing, air-conditioning, heating and ventilating, fuel oil, with a storage of fuel oils, gas and other flammable products limited to 120,000 gallons per tank, with total storage on zoning lot not to exceed 500,000 gallons.

Plumbing, heating, and roofing supply shops

22. Residential uses - as follows:

Dwelling units for watchmen and their families including caretakers when located on the premises where they are employed in such capacity.

23. Telecommunication Stations

24. Wholesaling and warehousing

M-1

Special Uses

1. Any use which may be allowed as a special use in the B-3 or B-4 Business Districts, but not including house trailers (mobile homes) camps.
1. Child Day Care Facility
2. Clubs and Lodges (non-profit), fraternal or religious institutions.
3. Communication Uses
4. Community Center/ After school programs/ Educational Center
5. Consumer credit, payday loan offices, financing or financial offices.
6. Dwelling units for Watchmen and Families including a Caretaker.
7. Fertilizer sales, including limited storage.
8. Hospitals
9. Indoor Target Practice
10. Kendall County Sheriff’s Office shooting range
11. Kennels
12. Landscaping business,
13. Meetings Halls
14. Micro-Brewery and/or Winery
15. Micro Distillery
16. Outdoor storage provided such storage is screened from adjacent and surrounding properties.
17. Outdoor amusement establishments, carnivals, kiddie parks, and other similar amusement centers, and including places of assembly devoted thereto, such as stadiums and arenas.
18. Pawn Shop
19. Performing arts center
20. Places of Worship subject to the following conditions:
21. Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured.
22. Public or Private Utilities and Service uses:
   a. Telecommunications hub
   b. Filtration plant, pumping station, and water reservoir.
   c. Sewage treatment plant.
   d. Electric substations and booster stations.
   e. Other Similar uses
23. Retail or wholesale sales yards for agricultural products including, but not necessarily limited to, fruits, vegetables, flowers, plants, etc., that are not grown on the premises.
24. Self-Service Storage Facilities
25. Telecommunications Stations
27. Truck Driving School
28. Truck Stop
   1. Amphitheater, drive-in theater, auditorium, stadium and sports arena,
   2. Athletic Fields with Lights,
   3. Amusement park, including go-cart tracks, water parks and other rides,
   4. Bait Shop
5. Convenience Store  
6. Hotel and/or Motel  
7. Indoor entertainment and recreation  
8. Indoor Target Practice  
9. Kendall County Sheriff’s Office shooting range  
10. Kennels  
11. Places of Worship  
12. Planned Developments- Business  
13. Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured.  
14. Racetrack  
16. Riding Stables including, but not limited to: polo clubs, rodeo clubs and similar uses  
17. Seminaries, convents, monasteries, and similar religious institutions including dormitories and other accessory uses required for operation.  
18. Telecommunications Stations  
19. Other business uses not specifically listed as permitted uses, when found to be similar and compatible with existing or permitted businesses in the B-4 District  

2. Adult Regulated uses  
3. Airports and heliports including aircraft hangers, tie downs and aircraft service and repair subject to the following restrictions:  
4. Airport, private airstrip, heliports and aircraft landing fields  
5. Art Galleries and studios  
7. Indoor Target Practice  
8. Kendall County Sheriff’s Office shooting range with conditions to be set and approved by the County Board.  
9. Kennels  
10. Medical Cannabis Cultivation Centers- Temporary  
11. Medical Cannabis Cultivation Centers- Temporary  
13. Motor vehicle/ Truckwash Facilities including the use of mechanical conveyers, blowers and steam cleaning.  
14. Packaged Liquor Store or any sale of alcoholic beverages when associated with a brewery or winery.  
15. Paintball Facilities  
16. Parks and recreational areas  
17. Planned developments, industrial  
18. Private Clubs or lodges  
19. Private clubs such as soccer, etc.  
20. Racetrack provided that the following minimum standards are met:  
21. Schools (including music, dance, business, driving, commercial, or trade but excluding truck driving)
22. Stadiums, auditoriums and arenas.
23. Theaters, outdoor drive-in.
24. Transfer Stations as long as it conforms to the Solid Waste Plan and all EPA requirements.
25. Truck Wash Facility or Motor Vehicle Wash Facility
26. Any use permitted in the M-2 Heavy Manufacturing District, provided the performance standard set forth in Section 4.12. can be met in their entirety.
27. Wind Farms, Commercial,

M-2
Permitted Uses
1. Any use permitted in the M-1 Districts except banks and financial institutions.
2. Production, processing, cleaning, servicing, testing, and repair, including the following products:
   Charcoal, lampblack and fuel briquettes.
   Chemicals - including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, cleaning and polishing preparation, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating of cotton or other materials, nitrates, (manufactured and natural) of an explosive nature, potash, plastic materials and synthetic resins, pyroxylin, rayon yard, hydrochloric, picric and sulfuric acids and derivatives.
   Coal, coke and tar products, including gas manufacturing.
   Electric central station, power and steam-generating plants.
   Fertilizers.
   Film, photographic.
   Flour, feed and grain - milling and processing.
   Incineration or reduction of garbage, offal and dead animals.
   Linoleum and oil cloth.
   Magnesium foundries.
   Matches.
   Metal and metal ores (except precious and rare metals) - reduction, refining, smelting and alloying.
   Paint, lacquer, shellac, varnishes, linseed oil and turpentine.
   Petroleum products, refining - such as gasoline, kerosene, naphtha, lubricating oil and liquefied petroleum gases.
   Rubber (natural or synthetic).
   Soaps, including fat and oil rendering.
   Starch.
   Wood, coal, and bones, distillations.
   Wood pulp and fiber, reduction and processing, including paper mill operations.
   Any other production, processing, cleaning, servicing, testing, and repair which conforms with the performance standards established hereinafter for the M-2 District.
3. Storage, including the following uses and materials or products: Goods used in or produced by manufacturing activities permitted in this district.
   Grain.
   Manure, peat and topsoil.
   Petroleum and petroleum products.
M-2
Special Uses
1. Any use which may be allowed as a special use in the M-1 Districts, unless already permitted under Section 10.02.B above.
2. Commercial off-premise advertising structures
3. Correctional Facilities
4. Explosive, including storage, when not prohibited by other ordinance.
5. Junk yards and Motor vehicle wrecking yards provided they are contained within completely enclosed buildings or screened by a solid wall or uniformly painted solid fence at least twelve feet high.
6. Kendall County Government Agency and other law enforcement shooting range with conditions to be set and approved by the County Board.
7. Miscellaneous uses as follows:
   a. Railroad freight terminals, motor freight terminals, railroad switching and classification yards, repair shops and roundhouses.
8. Slaughter House

M-3
Permitted Uses
1. Surface and/or open pit mining, extraction and or processing of aggregate materials, e.g. sand, gravel, limestone, subject to the issuance of a permit as provided including an office in relation to business.
2. Explosive, including storage, when not prohibited by other ordinance.

M-3
Special Uses
1. Asphalt and/or concrete batch mixing plants with or without associated recycling facilities.
2. Commercial off-premise advertising structures
3. Kendall County Sheriff’s Office shooting range with conditions to be set and approved by the County Board.
4. Outdoor Target Practice or Shooting (not including private shooting in your own yard)